

Burlington Development Review Board

149 Church Street, City Hall

Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

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Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday August 6th, 2019, 5:00 PM

PUBLIC HEARING NOTICE

**The Burlington Development Review Board will hold a meeting on
Tuesday August 6th, 2019, at 5:00 PM in Contois Auditorium, City Hall.**

- 1. 19-1007CU; 1073 Pine St (RL, Ward 5S) Silvia Jope-Dalinghaus and Andrew Jope**
Requesting 3 bedroom bed and breakfast
- 2. 17-1117CA/CU; 426 South Winooski Ave (RM, Ward 6S) Scott Mapes**
Requesting time extension for demolish existing detached garage and replace with new detached garage with accessory dwelling unit.
- 3. 20-0025SD; 1891-1893 North Ave (RL, Ward 4N) Thomas Mitchell**
Re-applying 14-0747SD; subdivide 2 lots into 3; remove single family home construct two duplexes and one single family home
- 4. 20-0034CU; 39 Westward Dr (RL, Ward 7N) Christopher Liddle**
Change of single family home to small daycare center
- 5. 19-1017CU; 186 South Willard Street (I, Ward 6S) Paul and Nancy Cotton**
Change of use from single family home to three units within existing footprint

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

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

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

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

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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Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: August 6, 2019
RE: 17-1117CA/CU; 426 South Winooski 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: RM Ward: 6S

Owner/Applicant: Scott Mapes

Request: Time extension for zoning permit to demolish existing garage and construct new garage with accessory apartment

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews)

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

Background Information:

The applicant is seeking an extension for zoning permit 17-1117CA/CU. That permit included approval to demolish an existing detached garage and to replace it with a new detached garage with an accessory apartment and related site improvements.

Article 3: Applications, Permits, and Project Reviews

Sec. 3.2.9, Zoning Permits

(d) Time Limit on Zoning Permits

Work related to the subject permit commenced within 1 year of approval as required, and work is nearly, but not completely, done. The zoning permit had a 2-year timespan – commence work within 1 year and complete it by the end of the 2nd year. The zoning permit was approved July 13, 2017, and work related to the permit was to be complete by July 13, 2019.

The applicant has not yet completed work related to the zoning permit and sought an extension. That extension request was submitted prior to the July 13, 2019 expiration date of the permit.

This subsection enables the DRB to approve zoning permit extensions up to 1 year so long as the permitted work remains compliant with the current zoning regulations. Such is the case here. No changes to the zoning code have occurred that would preclude the approved project. A 1-year time extension for the zoning permit may be granted. **(Affirmative finding)**

II. Conditions of Approval

1. All conditions of approval of zoning permit 17-1117CA/CU remain in effect, except that the permit expiration date is changed to July 13, 2020.

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Austin Hart
Brad Rabinowitz
Israel Smith
AJ LaRosa
Alexandra Zipparo
Geoffrey Hand
Samantha Tilton
Jim Drummond (Alt.)
Robert Purvee (Alt.)



Burlington Development Review Board

Findings of Fact Deliberative Hearing Tuesday, July 5, 2017

In RE: 17-1117CA/CU; 426 South Winooski Ave. (Ward 6S, RM) (Tax Lot No. 053-3-010-000)

Owner/Applicant: Scott Mapes

Request: Demolish existing garage and construct new garage with accessory apartment

Members Present:

Austin Hart
Brad Rabinowitz
AJ LaRosa
Alexandra Zipparo
Israel Smith
Geoff Hand
Samantha Tilton

Evidence Presented:

The Board examined the materials submitted in support of this request.

I. FINDINGS

Background Information:

The applicant is seeking approval to demolish an existing detached garage and to replace it with a new detached garage with an accessory apartment. The garage footprint will remain unchanged. An existing area of driveway by the garage will be revamped with pervious pavers. Other minor improvements such as a new walkway to access the apartment and reconstructed front steps for the primary dwelling unit are also proposed.

Previous zoning actions for this property are noted below:

- 4/5/13, Approval to replace portion of asphalt shingle roof with EPDM

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Section 3.5.6 (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 each of the following general standards:

1. *Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;*

The property is served by municipal utilities. Sufficient water and sewer service are available. A State of Vermont wastewater permit may be required. A capacity letter issued by the Dept. of Public Works has been obtained. **(Affirmative finding)**

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 property is located within an established residential neighborhood in the medium density residential zoning (RM) district. The RM zoning district is intended primarily for medium-density residential development in the form of single detached dwellings, duplexes, and multi-family dwellings. The proposed accessory dwelling unit is consistent with this intent. The MDP provides the following support:

- Support the development of additional housing opportunities within the city... (MDP, Housing Plan, Page IX-1.
- Support the creation of new rental and owner-occupied housing on every parcel of land in Burlington that is zoned for residential development at the number of units allowed by zoning. (MDP, Housing Plan, Page IX-12.) **(Affirmative finding)**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

The proposed apartment is not expected to generate nuisance impacts from noise, odor, dust, and the like that may be more typically associated with industrial uses. **(Affirmative finding)**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;*

No traffic analysis has been provided or is required for this application. The proposed accessory apartment is expected to generate minimal additional traffic. **(Affirmative finding)**

and,

5. *The utilization of renewable energy resources;*

While not required, the applicant is considering the installation of rooftop solar units. **(Affirmative finding)**

and,

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

City building and energy efficiency codes will apply as conditioned.

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

The proposed apartment is not expected to produce offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. Time limits for construction.

No construction timeline or phasing are included in the project plans. The standard 2-year timeframe for zoning permits will apply. **(Affirmative finding)**

3. Hours of operation and/or construction to reduce the impacts on surrounding properties.

Hours of operation are not applicable to this residential use.

Construction hours are not noted in the application. Typical construction hours are Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request. No work on Sunday. **(Affirmative finding as conditioned)**

4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

See the recommended conditions.

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(2) Residential Medium Density (RM)

The Residential Low Density (RL) district is intended primarily for medium-density residential development in the form of single detached dwellings, duplexes, and multi-family dwellings. As noted previously, the single family dwelling and proposed accessory apartment are consistent with this intent. **(Affirmative finding)**

(b) Dimensional Standards and Density

Residential density remains unchanged. Accessory dwelling units specifically do not count towards allowable residential density per Sec. 5.4.5, *Accessory Dwelling Units*.

Lot coverage is presently 36.3%. As proposed, lot coverage will increase to 39.2%, under the 40% maximum permissible in the RM zone. Note that total impervious surface will be reduced with the introduction of pervious pavers. These pavers; however, constitute lot coverage and are reflected in the 39.2% figure.

The front yard setback will remain unchanged. Side and rear setbacks remain unchanged as well; however, the taller replacement structure (> 15' tall) triggers standard setbacks rather than the 5' accessory structure setbacks applicable to the existing garage (< 15' tall). In this case, the standard side yard setback of 10% of lot width equals 5' anyway. The lot is 50' wide. The proposed structure complies with the minimum side yard setback requirement. The rear yard setback is 25% of the lot depth, in this case 49'. As proposed, the structure will be 59' from the rear boundary.

Based on the average finished grade, overall building height will increase to 18.5.' **(Affirmative finding)**

(c) Permitted and Conditional Uses

An accessory dwelling unit is a permitted use; however, new construction triggers conditional use review. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Article 4 above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable to the subject property.

Sec. 5.2.5, Setbacks

See Article 4 above.

Sec. 5.2.6, Building Height Limits

See Article 4 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Article 4 above.

Sec. 5.4.5, Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses

Where there is a primary structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single

family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means an efficiency or one bedroom apartment that is clearly subordinate to the primary dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. No accessory unit shall be inhabited by more than 2 adult occupants. An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation.

The proposed apartment is accessory to the existing detached single family home and is laid out as a 1-bedroom unit. **(Affirmative finding)**

Additionally, there must be compliance with all the following:

1. *The property has sufficient wastewater capacity as certified by the Department of Public Works;*

The applicant has obtained a letter of adequate capacity from DPW for wastewater.
(Affirmative finding)

2. *The unit does not consist of more than 30 percent of the total habitable floor area of the building, inclusive of the accessory dwelling unit;*

The apartment will be 592 sf, or 19.8% of the total 2,984 sf habitable area of the existing home and proposed apartment. **(Affirmative finding)**

3. *Applicable setback and coverage requirements are met;*
See Article 4.

4. *One additional parking space which may be legally allocated to the necessary unit must be provided for the accessory unit;*

One onsite parking space will be provided for the accessory apartment. **(Affirmative finding)**
and

5. *A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.*

This provision will be included as a condition of approval. **(Affirmative finding)**

(c) Discontinuance of Accessory Units

Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the

entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.

As with A. 5 above, this provision will be included as a condition of approval. **(Affirmative finding)**

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

New outdoor lighting is proposed. Fixtures will illuminate the garage doors, the apartment's deck and doorway, and related walkway. The proposed fixtures are typical for residential applications and utilize acceptable low output lamps. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

The required small project erosion prevention and sediment control plan has been reviewed and approved by the city's stormwater program. **(Affirmative finding)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

Site layout remains virtually unchanged. The rear portion of the driveway will be redone with a pervious paver system. A new walkway and deck will be installed for the benefit of the new accessory apartment. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

Although larger than the single story detached garage that it will replace, the new structure remains clearly subordinate to the primary dwelling onsite. It is set well behind the primary residence and is set into the sloping grade. Different cladding for the 1st and 2nd floors and the gambrel roof further lessen the perceived mass of the structure. Height remains modest at 18.5.' **(Affirmative finding)**

2. Roofs and Rooflines

A gambrel roof is proposed on the new structure. This roof form is unusual as compared to the typical gable roofs on many residences. In this case, the gambrel roof reflects the roof style on the primary residence. As proposed; however, the gambrel roof is significantly compressed with a resultant pitch dissimilar to that on the house. Increasing the overall building height to afford a steeper roof pitch is encouraged. **(Affirmative finding)**

3. Building Openings

Fenestration varies between the primary and secondary elevations of the proposed building. It effectively accents the building design and affords access to natural light throughout the structure. **(Affirmative finding)**

(b) Protection of important architectural resources

The primary dwelling is historically significant; however, the existing detached garage is not. Its demolition and replacement with new construction will not adversely affect the significance of the primary dwelling unit. **(Affirmative finding)**

(c) Protection of important public views

There are no identified view corridors from or through the subject property. **(Affirmative finding)**

(d) Provide an active and inviting street edge

The front elevation of the proposed building contains a doorway but is deliberately understated. The intent is for the front residence to remain primary and for the new building to read as accessory thereto. **(Affirmative finding)**

(e) Quality of materials

The new structure will be set on a concrete foundation. It will be clad in wood or wood composite clapboard siding and cedar shakes. Both appear the same, and either is acceptable. Asphalt roofing will be installed. Clad wooden windows are proposed. The proposed materials are of acceptable quality and durability. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed construction must comply with the city's current energy efficiency requirements and with the State Residential Building Energy Code. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

Not applicable.

(h) Integrate infrastructure into the building design

No exterior machinery or equipment is proposed on the building. Service lines will be extended to the new structure underground. **(Affirmative finding)**

(i) Make spaces safe and secure

The new construction will be subject to current egress requirements. Building entries are illuminated. **(Affirmative finding as conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

Total onsite parking required is 3 spaces (2 for the existing home and 1 for the apartment). As proposed, all 3 spaces will be provided onsite. The 2 spaces for the single family home are in the garage. The accessory apartment parking space is within the driveway between the primary dwelling unit and the garage/apartment structure. **(Affirmative finding)**

II. MINUTES

The meeting minutes will be distributed separately upon review and approval by the Development Review Board.

III. MOTION

Motion: Israel Smith

I move that the Board grant certificate of appropriateness and conditional use approval for demolition of an existing garage and construction of a new garage with accessory apartment at 426 South Winooski Avenue, in the RM zone, in accordance with Articles 3, 4, 5, 6, and 8. Approval is subject to the following conditions:

1. The Board is open to alterations of the proposed roof design that would be steeper and taller, within height limits, to result in a more appropriate design.
2. The accessory dwelling unit shall be occupied by no more than 2 adults.
3. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit **prior to the issuance of the certificate of occupancy** for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.
4. Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.
5. Days and hours of construction are limited to Monday – Friday 7:00 AM – 5:00 PM. Saturday construction within those hours may be allowed upon request to the DRB. No construction activity on Sunday.

6. A State of Vermont wastewater permit may be required.
7. All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
8. Standard Conditions 1-15.

Seconded: Brad Rabinowitz

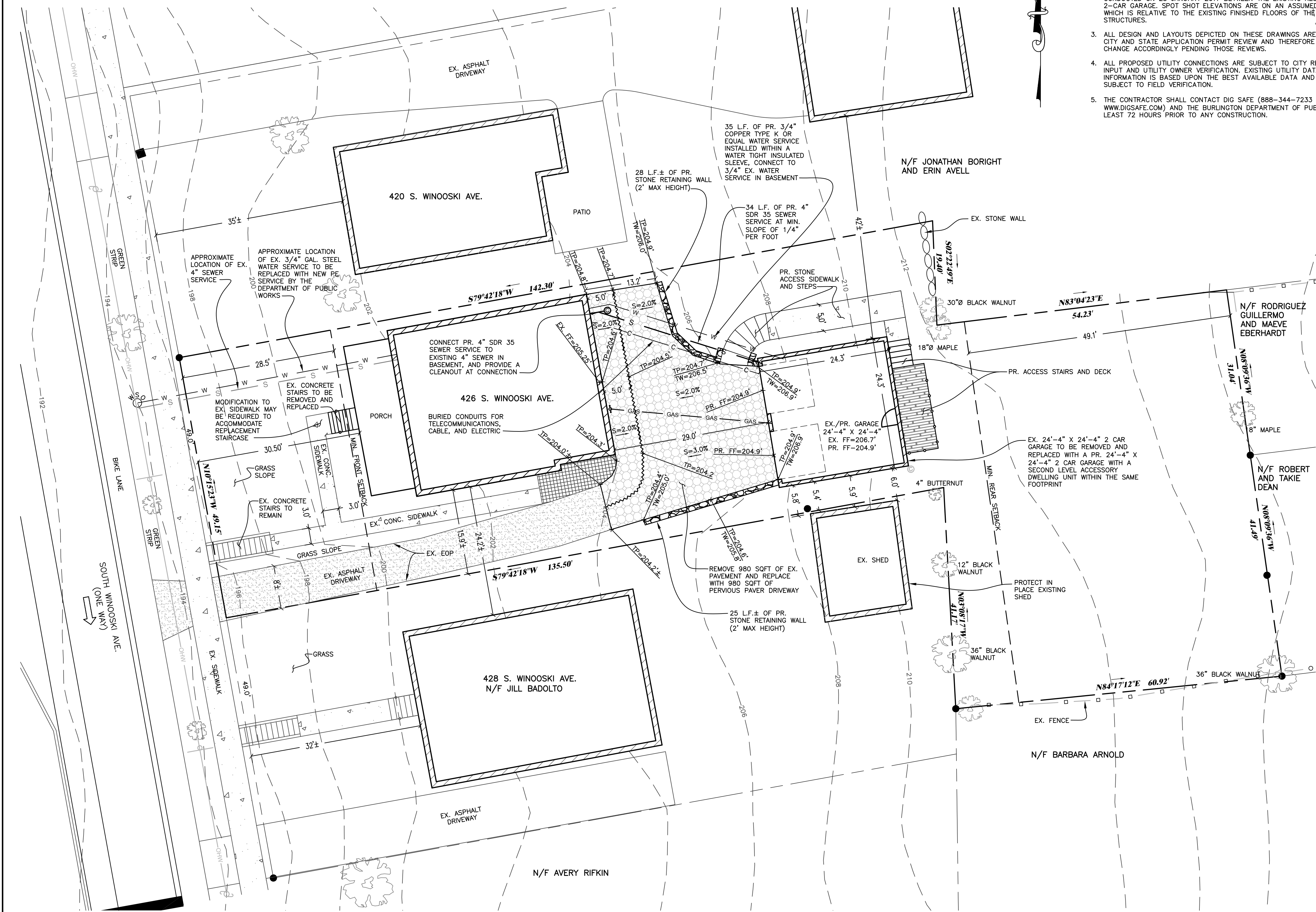
Vote: 7-0-0, motion carried.

Dated at Burlington, Vermont, this ____ day of July, 2017

Respectfully Submitted,

Austin D. Hart, Development Review Board Chair

Please note that an interested person may appeal a decision of the Development Review Board to the Vermont Superior Court Environmental Division. (Zoning Ordinance Article 17, Section 17.1.7, Appeals of Development Review Board Decisions: An interested person may appeal a decision of the Development Review Board to the Vermont Superior Court Environmental Division. The appeal shall be taken in such a manner as the supreme court may by rule provide for appeals from state agencies governed by Sections 801 through 816 of Title 3). The Court rules may require that such an appeal be commenced within Thirty (30) days of the Board's decision.



NOTES

- 1. BOUNDARY INFORMATION DEPICTED ON THIS DRAWING IS BASED UPON A BOUNDARY SURVEY BY BUTTON PROFESSIONAL LAND SURVEYORS DATED 17 APRIL, 2017.
- 2. TOPOGRAPHIC INFORMATION DEPICTED ON THESE DRAWINGS ARE 2' CONTOURS GENERATED FROM BARE EARTH DEM DATA IN THE VERMONT LIDAR INITIATIVE ARCHIVE. THE 2' CONTOURS WERE AUGMENTED WITH FIELD SURVEY DATA CONDUCTED ON 23 JANUARY 2017 BETWEEN THE EXISTING RESIDENCE AND 2-CAR GARAGE. SPOT SHOT ELEVATIONS ARE ON AN ASSUMED DATUM WHICH IS RELATIVE TO THE EXISTING FINISHED FLOORS OF THE EXISTING STRUCTURES.
- 3. ALL DESIGN AND LAYOUTS DEPICTED ON THESE DRAWINGS ARE SUBJECT TO CITY AND STATE APPLICATION PERMIT REVIEW AND THEREFORE SUBJECT TO CHANGE ACCORDINGLY PENDING THOSE REVIEWS.
- 4. ALL PROPOSED UTILITY CONNECTIONS ARE SUBJECT TO CITY REVIEW AND INPUT AND UTILITY OWNER VERIFICATION. EXISTING UTILITY DATA AND INFORMATION IS BASED UPON THE BEST AVAILABLE DATA AND ALL ARE SUBJECT TO FIELD VERIFICATION.
- 5. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233 OR WWW.DIGSAFE.COM) AND THE BURLINGTON DEPARTMENT OF PUBLIC WORKS AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION.



SITE LOCATION MAP
N.T.S.

ZONING

OWNERS: STEPHANIE AND SCOTT MICHAEL MAPES

PROJECT DESCRIPTION: THE PROPOSED PROJECT CONSISTS OF THE DEMOLITION OF AN EXISTING 24'-4" BY 24'-4" SINGLE STORY TWO CAR GARAGE, CONSTRUCTION OF A PROPOSED 24'-4" BY 24'-4" TWO STORY STRUCTURE CONSISTING OF A TWO CAR GARAGE WITH A SECOND LEVEL ACCESSORY DWELLING WITHIN THE SAME FOOTPRINT. ADDITIONAL PROPOSED IMPROVEMENTS INCLUDE ACCESS STAIRS AND SIDEWALKS. THE RECONSTRUCTION OF 980 SQFT OF EXISTING DRIVEWAY, AND RECONSTRUCTION OF THE CONCRETE STAIRS TO THE EXISTING RESIDENCE. THE EXISTING SINGLE FAMILY RESIDENCE (426 S. WINOOSKI AVE.) TO REMAIN UNALTERED.

LOT COVERAGE CALCULATION
ZONING DISTRICT: RESIDENTIAL MEDIUM DENSITY (RM)
ALLOWABLE COVERAGE = 40% (60% WITH BONUS)
SUBJECT PROPERTY = 0.2485 ACRES = 10,824.66 SQFT

PRIMARY AND ACCESSORY STRUCTURE AREA

EXISTING PRINCIPAL STRUCTURE:
GROSS AREA = 5,362 SQFT
FINISHED HABITABLE AREA = 2,392 SQFT

EXISTING 2-CAR GARAGE:
GROSS AREA = 592 SQFT
FINISHED HABITABLE AREA = 0

PROPOSED 2-CAR GARAGE / ACCESSORY DWELLING:
GROSS AREA = 1,184 SQFT (18% OF PRINCIPAL STRUCTURE + ACCESSORY DWELLING UNIT GROSS AREA)
FINISHED HABITABLE AREA = 592 SQFT (20% OF PRINCIPAL STRUCTURE + ACCESSORY DWELLING FINISHED AREA)

COVERAGE	EXISTING	PROPOSED
RESIDENCE / PORCH / STAIRS	1,426 SQFT	1,426 SQFT
GARAGE / ACCESSORY DWELLING	592 SQFT	592 SQFT
DECKS / STAIRS (GARAGE / ACCESSORY DWELLING)	0 SQFT	116 SQFT
DRIVE	1,574 SQFT	588 SQFT
WALKWAYS	338 SQFT	632 SQFT
TOTAL IMPERVIOUS	3,930 SQFT	3,254 SQFT
% COVERAGE (TOTAL IMPERVIOUS / LOT SIZE)	36.3%	30.0%

MINIMUM SETBACKS (REQUIREMENTS)

FRONT SETBACK: 5'± OF AVERAGE OF 2 ADJOINING PROPERTIES
SIDE: 10% OR 5'
REAR: 25% OR 20'

SETBACK	REQUIRED	EXISTING	PROPOSED
FRONT	33.5' (±5')	30.5'±	30.5'±
SIDE	4.9' (10%)	2.0' (HOUSE)	2.0' (HOUSE)
REAR	49.1' (25%)	5.4' (GARAGE)	5.4' (GARAGE/ACCESSORY DWELLING)
		63' (GARAGE)	57.2' (GARAGE)

STREET FRONTAGE
REQUIRED: 30'
PROVIDED: 49'

OFF-STREET PARKING REQUIREMENTS

SINGLE FAMILY RESIDENCE = 2 SPACES
ACCESSORY DWELLING = 1 SPACE
TOTAL REQUIRED = 3 SPACES
PROVIDED = 3 SPACES (2 CAR GARAGE PLUS 1 DRIVEWAY PARKING SPACE)

LEGEND

PROPOSED	EXISTING
2' CONTOURS	2' CONTOURS
EDGE OF PAVEMENT	EDGE OF PAVEMENT
SUBJECT PROPERTY LINE	SUBJECT PROPERTY LINE
ABUTTER PROPERTY LINE	ABUTTER PROPERTY LINE
SETBACK	SETBACK
GRADE BREAK / FLOWLINE	GRADE BREAK / FLOWLINE
GRAVITY SEWER	GRAVITY SEWER
GAS LINE	GAS LINE
WATER SERVICE	WATER SERVICE
AV/CABLE/ELECTRIC	AV/CABLE/ELECTRIC
OVERHEAD UTILITY	OVERHEAD UTILITY
PAVER DRIVEWAY	PAVER DRIVEWAY
SIDEWALK/CONCRETE	SIDEWALK/CONCRETE
CURB	CURB
UTILITY POLE	UTILITY POLE
TREE	TREE
CLEANOUT	CLEANOUT
PARKING METER	PARKING METER
WATER VALVE	WATER VALVE
GAS VALVE	GAS VALVE
WATER SHUT OFF	WATER SHUT OFF
ELECTRIC PEDESTAL	ELECTRIC PEDESTAL
PROPOSED GRADE SPOT ELEVATION	PROPOSED GRADE SPOT ELEVATION

LIST OF ABBREVIATIONS

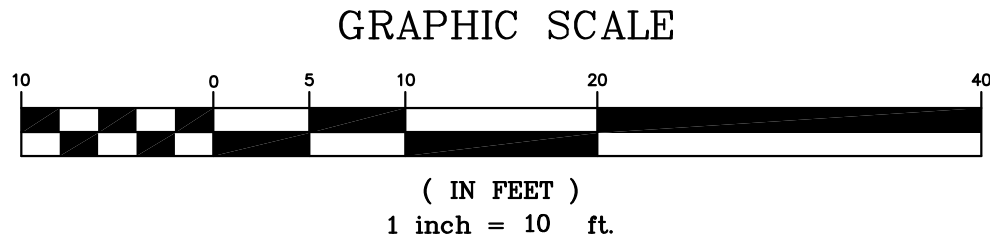
BC	BOTTOM OF CURB
CB	CATCH BASIN
CMP	CORRUGATED METAL PIPE
CONC	CONCRETE
EOP	EDGE OF PAVEMENT
EX	EXISTING
FF	FINISHED FLOOR
FL	FLOW LINE
GAL	GALVANIZED
GS	GRADE SPOT ELEVATION
H	HORIZONTAL
I.E.	INVERT ELEVATION
L.F.	LINEAR FEET
MAX	MAXIMUM
MIN	MINIMUM
PR	PROPOSED
S	SLOPE
SQFT	SQUARE FEET
TC	TOP OF CURB
TP	TOP OF PAVERS
TW	TOP OF WALL

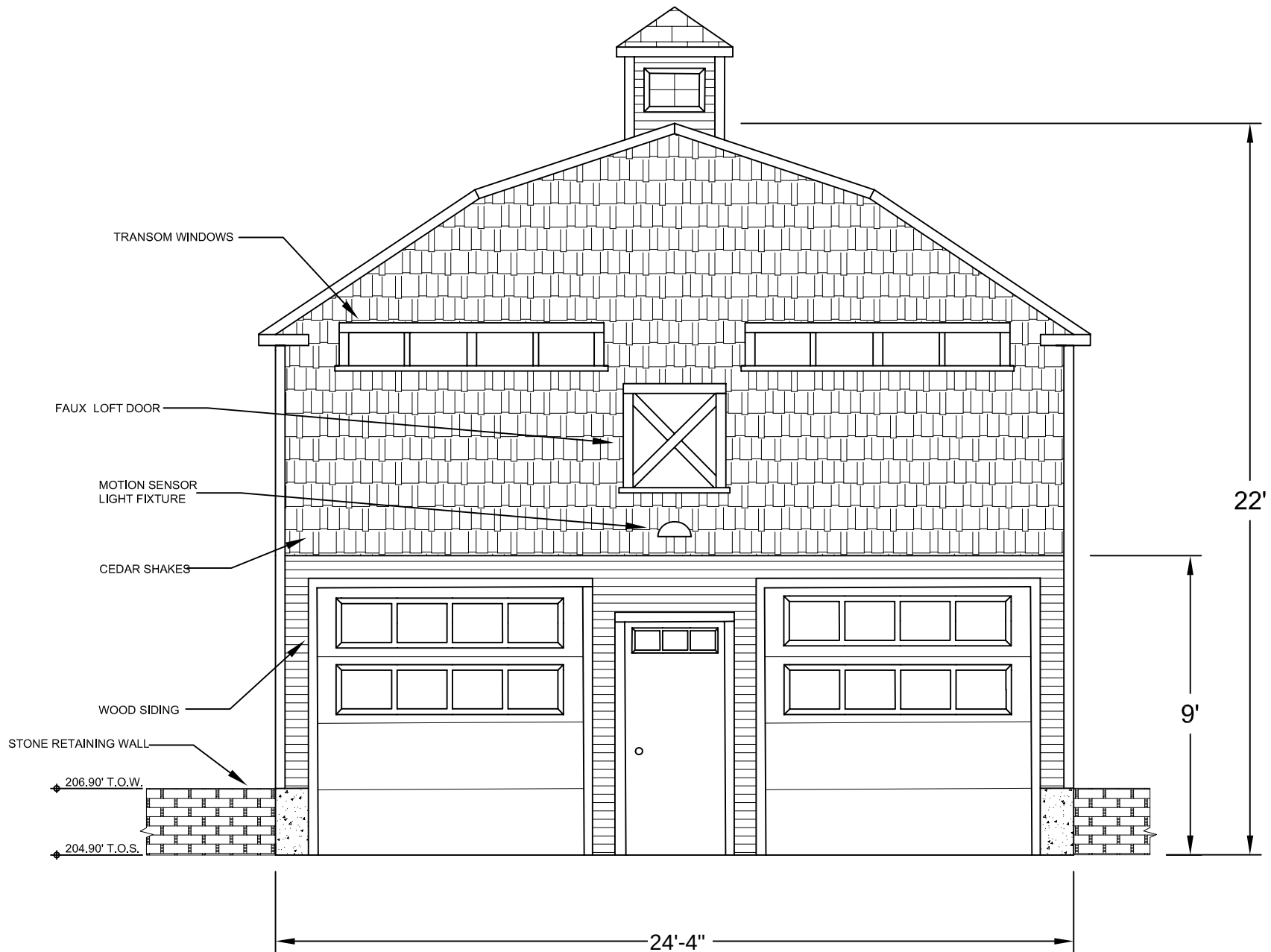
426 S. WINOOSKI AVE – SITE PLAN

MAPES
RESIDENCE
GARAGE
RECONSTRUCTION
426 S. WINOOSKI AVE.
BURLINGTON, VERMONT

SCOTT MICHAEL MAPES
ENVIRONMENTAL ENGINEERING
POST OFFICE BOX 5517
BURLINGTON, VERMONT
802-864-8100

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WEST ELEVATION

1
A104

NOTES

ALL DIMENSIONS AND INFORMATION FOR RENDERING AND PERMITTING PURPOSES ONLY

NOT FOR CONSTRUCTION

CONTRACTOR TO VERIFY ALL DIMENSIONS

ALL INFORMATION SHOWN HAS BEEN PREPARED EXCLUSIVELY FOR:

TRILLIUM REMODELING
751 MAIN ST.
COLCHESTER, VT, 05446
802-353-2434

DRB PERMIT SET FOR REVIEW ONLY

#	REVISION	DATE

SCALE

NTS

TRILLIUM
Remodel- Design & Build

PROJECT

426 South Winooski Ave.
Carriage House

ATTENTION

SCOTT MAPES

DRAWN BY	DATE
MC	05/05/17

A104
WEST ELEVATION

Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: August 6, 2019
RE: 20-0025SD; 1891 North 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: RL Ward: 4N

Owner/Applicant: Tom Mitchell

Request: Seeking re-approval of 14-0747SD to subdivide two lots into three lots, remove existing single family house, construct two duplexes and one single family home

Applicable Regulations:

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

Background Information:

The applicant is seeking approval anew of a 3-lot, 5-dwelling unit subdivision. The original approval was granted August 26, 2014 and was extended three times. The project is underway, but the final extension expires August 26, 2019. The project will not be complete at that time. As a result, the applicant is seeking a new approval.

The project includes the subdivision of two existing adjacent lots into 3 lots. Two duplexes and one single family home are to be constructed. An existing mobile home along North Avenue is demolished and will be replaced with one of the two new duplexes. The end result is 4 net new dwelling units. This proposal amounts to a minor subdivision (i.e. less than 5 net new dwelling units or lots) and is reviewed as a combined preliminary/final plat application.

Given that nothing is changed from the prior approval, review by the Design Advisory Board and the Conservation Board has not been required for this new application.

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

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;

The proposed development will be served by municipal water and sewer. Sufficient capacity is available as confirmed by the Department of Public Works. Any new lines to service the development will have to be installed by the applicant/owner. A state wastewater permit is required. Impact fees will be assessed based on the net new residential square footage to help offset what impacts there may be to other municipal services. **(Affirmative finding as conditioned)**

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 proposed subdivision is located in the Residential Low Density zone. This zone is primarily intended for detached single family homes and duplexes. The surrounding neighborhood reflects this intent, consisting largely of detached single family homes to the south and east. The Northgate apartment complex includes a different development pattern and is located to the north and west. The proposed density and development pattern is similar to that along neighboring residential streets and reflects the intent of the RL zone. **(Affirmative finding)**

3. The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;

Nuisance impacts are not expected from this small residential development in this residential area of the city. **(Affirmative finding)**

4. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;

No traffic analysis has been provided nor is required for a project of this small scope. Additional traffic generation associated with the new dwelling units can reasonably be expected to be minor. **(Affirmative finding)**

5. Utilization of renewable energy resources;

Utilization of renewable energy resources is not included in this application. As proposed, the development will not preclude such utilization on the subject property or on neighboring properties in the future. **(Affirmative finding)**

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

It is the applicant's responsibility to comply with other applicable city and state bylaws and ordinances.

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

The proposed small scale residential development will not generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. Time limits for construction.

The application contains no request for extended construction. Since the original subdivision approval, the zoning code has been revised to allow a 3-year timespan for zoning permits rather than 2 years. The standard 3-year time frame will apply to this new permit. The applicant is advised to consider phasing construction of the dwelling units so that they may be occupied as they are completed one-by-one. Otherwise, occupancy would not be allowed until the entire development is complete. If phasing is sought, a phasing plan must be provided. **(Affirmative finding as conditioned)**

3. Hours of operation and/or construction to reduce the impacts on surrounding properties.

Hours of operation need not be specified for this residential development. The original subdivision approval included days and hours of construction of Monday – Saturday, 7:00 AM – 6:00 PM. These same days and hours of construction will be carried over to this new permit. **(Affirmative finding as conditioned)**

4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

See the recommended conditions.

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, which is intended primarily for single family homes and duplexes. The proposed development consists exactly of that – two duplexes and a single family home. **(Affirmative finding)**

(b) Dimensional Standards & Density

The two duplex lots exceed the minimum duplex lot size of 10,000 sf, and the proposed single family home lot exceeds the minimum single family home lot size of 6,000 sf.

Proposed lot coverage will be 23.6%, 23.6%, and 20% on lots 1, 2, and 3, respectively. These coverages are below the 35% limit in the RL zone.

Front yard setbacks on lots 1 and 3 are based on the average front yard setback of neighboring properties. They are compliant with the applicable averages. Lot 2 is effectively an interior lot and may establish its own front yard setback. As proposed, the 22' front yard setback is similar to that of neighboring properties. Side and rear yard setbacks as 10% of lot width and 25% of lot depth, respectively, are compliant as well.

The two duplexes are about 21' tall to the midpoint of their roofs' rise. The single family home is shorter at just 14' to the midpoint of its roof rise. The height limit in this zone is 35'.

(Affirmative finding)

(c) Permitted & Conditional Uses

Duplexes are allowed in the RL zone subject to conditional use review. Such review is incorporated into this permit. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No setback encroachments are sought.

2. Height

No height exceptions are sought.

3. Lot Coverage

No lot coverage exceptions are sought.

4. Accessory Residential Structures and Uses

No accessory structures are included in this proposal.

5. Residential Density

The proposed residential units are subject to the family occupancy provisions of the Comprehensive Development Ordinance. **(Affirmative finding as conditioned)**

6. Uses

Not applicable.

7. Residential Development Bonuses

No development bonuses are being sought.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (d) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.5.5 above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Five types of outdoor lighting fixtures are proposed as options for the new homes (3 lantern type fixtures and 2 spotlight fixtures). All of them use low-wattage bulbs and are acceptable. Lumens information has been provided and demonstrates their acceptability as low-output lamps. Fixture locations are noted on the site plan and on the building elevation drawings. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

The stormwater management plan has been reviewed and approved by the Stormwater Administrator. Proposed management is simple given the ample green space and very pervious soils. Rooftop runoff will be collected by gutters and dispersed by way of downspouts onto surrounding green space for infiltration into the ground. Driveways will be graded to direct runoff onto adjacent green space for infiltration. No stormwater runoff will be directed into the city system. The construction site erosion prevention and sediment control plan has also been reviewed and approved by the Stormwater Administrator. **(Affirmative finding)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

(a) Protection of important natural features

The property contains no significant natural areas as defined in the Open Space Protection Plan or as depicted in any of the Natural Resource Protection Overlay District maps. A number of trees are present. The applicant has revised the site plan to better indicate which existing trees will be retained versus removed and which trees are to be newly planted. None of the trees qualify as specimen trees (i.e. 30" + caliper and/or more than 100 years old as determined by a certified arborist). **(Affirmative finding)**

(b) Block size and arrangement

Not applicable. No new blocks are proposed.

(c) Arrangement of Lots

Lot 3 will be regularly shaped. Lot 1 will be somewhat irregular to allow for an irregular lot 2. The irregular shape of lot 2 is proposed in order to meet the minimum lot frontage requirement of 60' along a public roadway. The Development Review Board found this configuration to be acceptable in the original subdivision approval. The grading and utility plan depicts utility easements for lots 1 and 2 across lot 3 for services stemming from North Avenue. An access easement has been provided for lot 2's driveway across lot 3. **(Affirmative finding)**

(d) Connectivity of streets within the city street grid

No new streets are proposed. New private driveways will access the existing street network. **(Affirmative finding)**

(e) Connectivity of sidewalks, trails, and natural systems

The existing public sidewalk system will be unaffected by the proposed development. There are no nearby trail networks or contiguous lengths of green space. **(Affirmative finding)**

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

See Sec. 6.1.2 (a) above.

(b) Topographical alterations

The property is essentially flat and will remain so. Some limited grading is proposed to direct stormwater runoff into surrounding green spaces. **(Affirmative finding)**

(c) Protection of important public views

There are no important public views from or through the property. **(Affirmative finding)**

(d) Protection of important cultural resources

The site has no known archaeological resources. **(Affirmative finding)**

(e) Supporting the use of alternative energy

No alternative energy resources are included in the project plans. Use of alternative energies on the subject, or neighboring properties, in the future is not precluded by this development.

(Affirmative finding)

(f) Brownfield sites

The property is not included on the Vermont DEC's Hazardous Sites List. **(Affirmative finding)**

(g) Provide for nature's events

See Sec. 5.5.3 for stormwater management.

There is ample room onsite for seasonal snow storage. Building entries are sheltered with overhangs to provide protection during inclement weather. **(Affirmative finding)**

(h) Building location and orientation

The two duplexes will be located along existing public streets and will be aligned with neighboring homes. Garage and driveway parking space will be provided for both duplexes. Both duplex structures appear to be identical. Each building is 59' wide, and each has a 22' wide garage. Per this criterion, garages facing the street shall not exceed 24' width or 50% of the entire structure width, whichever is less. As proposed, the 22' wide garages are under this limit at 37% of the structure width. The garage faces of both duplexes are recessed and are 25' set back from the front property lines as required. The new single family home will sit between the two duplexes and will have no discernible impact on the North Avenue or Northgate Road streetscapes. The single family home will have an attached garage, but it does not face the street. As a result the garage width limitations of this criterion do not apply. **(Affirmative finding)**

(i) Vehicular access

The existing curb cut along North Avenue will be used for the new single family home on lot 2. Two new curb cuts on North Avenue will serve the two driveways into the new duplex on Lot 3. A new curb cut will be established along Northgate Road. Department of Public Works approval will be required for the new curb cuts. The duplexes will have two 10' wide driveways for each unit, and the single family home will have a 10' wide driveway. These widths are within the acceptable range of 7' – 18' for residential driveways. **(Affirmative finding)**

(j) Pedestrian access

The site plan depicts walkways connecting the homes on lots 2 and 3 to the North Avenue sidewalk. Walkways will connect the duplex on lot 1 to Northgate Road. The walkways parallel the driveways and consist of stamped and painted asphalt. The walkway along the driveway for lot 2 also provides the 14' wide (10' driveway + 4' walkway) access required by the Fire Marshal to this center lot. **(Affirmative finding)**

(k) Accessibility for the handicapped

There is no indication that any of the dwelling units will be handicap accessible or that they need to be. **(Affirmative finding)**

(l) Parking and circulation

All of the proposed dwelling units have associated parking. Both required spaces will be provided within the attached garage for the single family home. Each duplex unit will have one garage space and one driveway space. The parking and driveway arrangement for the single family home allows vehicles to enter and leave without backing out onto a city street. Both duplexes include short, straight driveways that require driving in forward and backing out. This configuration was found to be acceptable in the original subdivision approval. **(Affirmative finding)**

(m) Landscaping, fences, and retaining walls

Tree retention and removal is depicted in the project plans. New plantings have been identified on the site plan and consist of new deciduous and coniferous trees and new shrubs. The new trees are proposed along property lines to help delineate the interior boundaries. A cluster of arborvitae are proposed to help screen a portion of the driveway serving the new single family home. While the proposed landscaping is basic, it is adequate for a project of this small scope. **(Affirmative finding)**

(n) Public plazas and open space

Not applicable. No public plazas or open space are included in this proposal.

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

All utility lines must be buried. Utility vaults for each home are depicted on the grading and utility plan and are acceptably located on the building sides. There are no communal recycling or trash facilities. These items will be handled separately by each homeowner. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The subject property is sited between single family homes along Dewey Drive and the very large Northgate Apartments complex. The homes along Dewey Drive are relatively small as compared to the Northgate Apartments; however, the apartment buildings are sectionalized in components roughly approximate to the scale of the Dewey Drive homes. The new homes included in this proposal retain this consistent scale. The two duplexes (which are mirror images of each other) read as individual dwelling units connected by way of a shared garage. This arrangement lessens perceived building bulk and provides a degree of separation of the living quarters. The proposed single family home is smaller than the duplexes and is comprised of several distinct components. Its massing and scale are consistent with neighboring single family homes. All three of the proposed buildings are well under the 35' height limit. The single family home is just a single story. The two duplexes are two stories. The proposed building heights are consistent with nearby homes. **(Affirmative finding)**

2. Roofs and Rooflines

Pitched gable roofs with varying orientations are proposed. This roof form is common amongst neighborhood homes. **(Affirmative finding)**

3. Building Openings

Fenestration amongst all of the proposed buildings is similar. It is evenly placed throughout each structure and consists of fairly basic one-over-one double-hung windows with some smaller awing windows interspersed on the side elevations. The double-hung units are more vertical than horizontal as required. Building entries are sheltered with entry porches. **(Affirmative finding)**

(b) Protection of important architectural resources

An existing mobile home will be demolished as part of this proposal. It is not historically significant, nor are any neighboring structures historically significant. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The proposed duplexes reinforce the existing street edge created by existing homes along North Avenue and Northgate Road. Both clearly face the street and have readily identifiable front entries within open porches. Walkways connect them to the public street. The single family home is situated between the two duplexes and, as such, does not have a street presence. **(Affirmative finding)**

(e) Quality of materials

All of the homes will be clad in vinyl siding ("clapboards" and "shakes"). Fiber cement trim will be installed throughout. Asphalt shingles will be installed on the roofs. The single family home will utilize wooden railings for its porch. Vinyl windows are proposed. The proposed materials palette is one common to new residential construction and is of acceptable quality and durability. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed construction must comply with the city's current energy efficiency requirements. Nothing above and beyond the minimum requirements is noted in the project plans. **(Affirmative finding)**

(g) Make advertising features complimentary to the site
Not applicable.

(h) Integrate infrastructure into the building design
Utility line and meter locations are noted on the plans. No exterior mechanical equipment is included in the project plans. Trash should be stored inside the garages until curb side pick-up days. **(Affirmative finding)**

(i) Make spaces safe and secure
The new buildings will be subject to current egress requirements. Building entries will be illuminated. **(Affirmative finding as conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the neighborhood parking district. As a result, each one of the dwelling units requires a minimum of 2 parking spaces. The site plan depicts sufficient parking, including garage and surface spaces, for each of the units. **(Affirmative finding)**

Sec. 8.2.5, Bicycle Parking Requirements

No bicycle parking is required for the proposed single family and duplex dwelling units. **(Affirmative finding)**

Article 10: Subdivision

The recording requirement for the subdivision mylar per Sec. 10.1.11 has already been met as part of the original subdivision approval.

See also Articles 3, 4, 5, and 6 of these findings. **(Affirmative finding)**

II. Conditions of Approval

1. If project phasing is sought, a phasing plan must be provided, subject to staff review and approval **prior to release of the zoning permit.**
2. At least **7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the Treasurer's Office the impact fee as calculated by staff based on the net new square footage of the proposed development.
3. Days and hours of construction shall be limited to Monday – Saturday, 7:00 AM – 6:00 PM.
4. Each new residence included in this approval is subject to the family occupancy provisions of the Comprehensive Development Ordinance.
5. A State of Vermont wastewater permit is required.
6. The proposed construction shall comply with Burlington's current energy efficiency standards and with Burlington's current egress requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
7. Standard permit conditions 1 -15.

✓

RECEIVED

FEB 12 2014

DEPARTMENT OF
PLANNING & ZONING

TOM MITCHELL
1891 NORTH AVENUE
RESIDENTIAL SUBDIVISION

CITY OF BURLINGTON

LIST OF DRAWINGS

C-1EXISTING CONDITIONS
C-2SITE PLAN
C-3GRADING & UTILITY PLAN
C-4DETAILS
C-5DETAILS
C-6SPECIFICATIONS
C-7SPECIFICATIONS

EC-1.....EPSC/STORMWATER PLAN

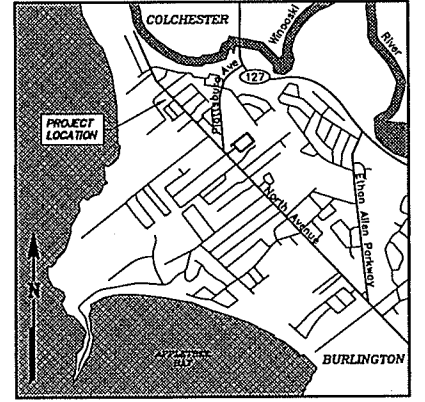
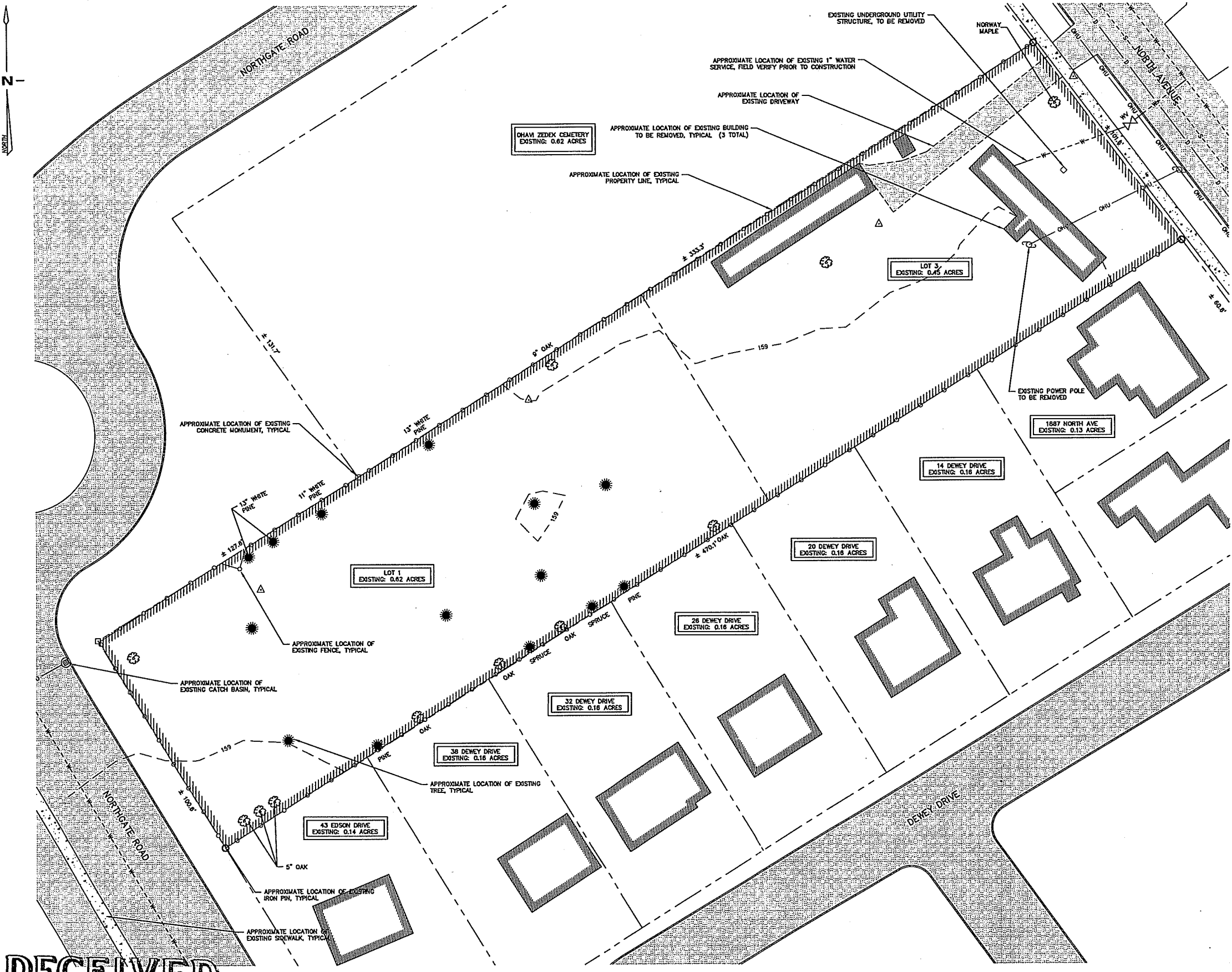
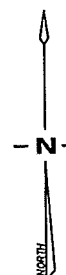
OWNER

TOM MITCHELL
27 REVERE COURT
BURLINGTON, VERMONT 05405
(802) 355-4222

PROJECT
ENGINEER

CHAMPLAIN CONSULTING ENGINEERS
85 PRIM ROAD, P.O. BOX 453
COLCHESTER, VERMONT 05446
CONTACT: MARTIN E. COURCELLE, P.E.
(802) 863-8060
(802) 864-1878 FAX

PERMIT SET



LOCATION MAP
N.T.S.

DESIGN SUMMARY:

1. PROJECT DESCRIPTION:
SITE PLAN OF A PROPOSED RESIDENTIAL SUBDIVISION OF TWO EXISTING PARCELS LOCATED AT 1891 NORTH AVENUE IN THE CITY OF BURLINGTON, VERMONT.

2. PROJECT CONTACTS:

OWNER: TOM MITCHELL
27 REVERE COURT
BURLINGTON, VERMONT 05405
CONTACT: (802) 355-4222

CIVIL ENGINEER: CHAMPLAIN CONSULTING ENGINEERS
85 PRIM ROAD, P.O. BOX 453
COLCHESTER, VERMONT 05446
CONTACT: MARTIN E. COURVILLE, P.E.
(802) 663-8060

GENERAL NOTES:

1. PRIOR TO COMMENCING SITE WORK, THE GENERAL CONTRACTOR SHALL VERIFY EXISTING FIELD CONDITIONS. THE PROJECT ENGINEER SHALL BE NOTIFIED IMMEDIATELY WHERE DISCREPANCIES EXIST BETWEEN THE PROJECT DRAWINGS AND ACTUAL FIELD CONDITIONS.
2. THE GENERAL CONTRACTOR SHALL CONTACT DIG SAFE (1-888-344-7233) SEVENTY TWO HOURS PRIOR TO ANY EXCAVATION TO ACCURATELY ESTABLISH THE LOCATION OF ALL UNDERGROUND UTILITIES ON THE PROJECT SITE.
3. WHERE DIMENSIONS ON THE PROJECT DRAWINGS ARE UNCLEAR, CONTACT THE PROJECT ENGINEER IMMEDIATELY FOR CLARIFICATION.
4. IT IS THE GENERAL CONTRACTORS RESPONSIBILITY TO ENSURE THAT THE PROJECT DRAWINGS REFLECT THE LATEST REVISIONS.
5. THIS IS A SITE PLAN NOT A BOUNDARY SURVEY. PROPERTY BOUNDARIES SHOWN ON THIS PLAN ARE CONSIDERED TO BE APPROXIMATE.
6. PROPOSED BUILDING LOCATIONS SHOWN ARE THEORETICAL ONLY.

REFERENCE MAPS:

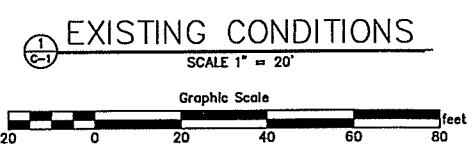
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2. MAP TITLED "PLAT OF SURVEY, MITCHELL PROPERTY", PREPARED BY WARREN A. ROSENSTEN, DATED AUGUST 8.
3. ADDITIONAL FEATURES FROM VERMONT DEPARTMENT OF TAXES, VERMONT MAPPING PROGRAM, ORTHOPHOTO #B090224, YEAR TAKEN 2004.
4. ADDITIONAL PROPERTY BOUNDARIES TAKEN FROM CITY OF BURLINGTON TAX MAP #23.
5. EXISTING SEWER, WATER AND STORMWATER UTILITY INFORMATION TAKEN FROM DRAFT GIS PROVIDED BY THE CITY OF BURLINGTON, VERMONT.

LEGEND

---	EXISTING PROPERTY LINE
-165-	EXISTING CONTOUR
- - -	EXISTING FENCE
-W-D-	EXISTING WATER LINE & VALVE
-S--S-	EXISTING SEWER LINE & MANHOLE
-0--0-	EXISTING STORM LINE & CATCH BASIN
-OHU--	EXISTING OVERHEAD UTILITY LINE & POLE
Δ	SURVEY CONTROL POINT
□	CONCRETE MONUMENT FOUND
○	IRON PIN FOUND
⊗	EXISTING TREE TO BE REMOVED
± 470.1'	EXISTING PROPERTY LINE DIMENSION

RECEIVED
JUL 21 2014

DEPARTMENT OF



THIS TOPOGRAPHIC SURVEY WAS PRODUCED IN PART FROM DIGITAL ORTHOPHOTO FILES WITHOUT THE BENEFIT OF "DIG SAFE" MARKINGS. ANY UTILITIES SHOWN ARE NOT WARRANTED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT "DIG SAFE" AT 1-888-344-7233 BEFORE COMMENCING ANY WORK AND SHALL PRESERVE EXISTING UTILITIES WHICH ARE NOT

REVISION DATE & DESCRIPTION
06/21/14 - ADDED TREES
AND UTILITY CLOSET

Champlain Consulting
ENGINEERS
85 PRIM ROAD, P.O. BOX 453
COLCHESTER, VERMONT 05446

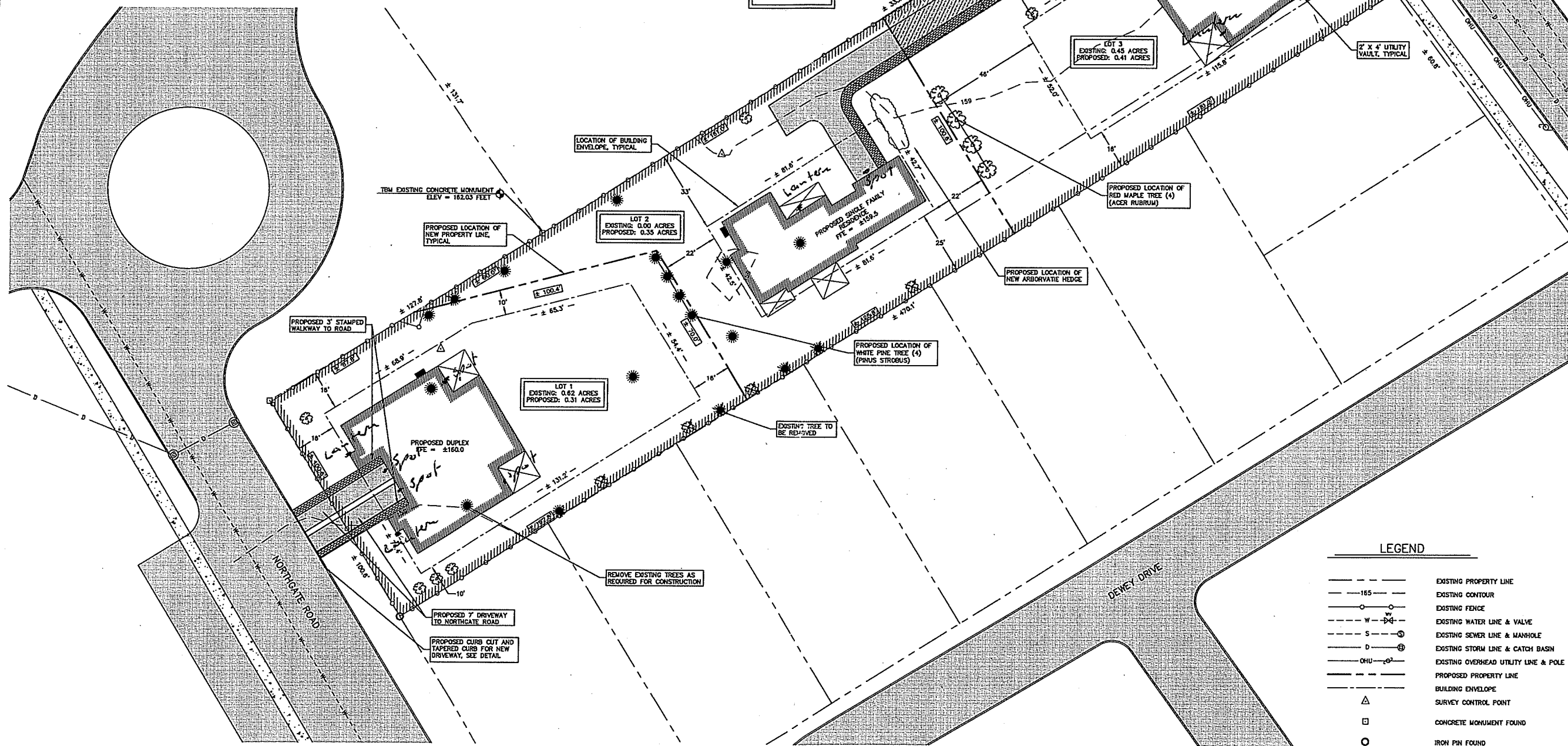
SITE OF VERMONT
MARTIN E. COURVILLE
NO. 8745
LICENSED
PROFESSIONAL CIVIL
ENGINEER

TOM MITCHELL
RESIDENTIAL SUBDIVISION
1891 NORTH AVENUE

DRAWN
CCE
CHECKED
MEC
SCALE
1" = 20'
DATE
10/31/14
JOB NO.
29104
SHEET

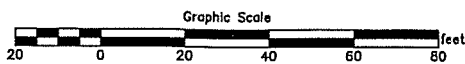
C-

ZONING INFORMATION:				
ZONE: RESIDENTIAL LOW-DENSITY (RL) DISTRICT				
USE: RESIDENTIAL SUBDIVISION				
ITEM	REQUIREMENT	LOT 1	LOT 2	LOT 3
MINIMUM ROAD FRONTAGE	60'	187±	60±	100±
MINIMUM LOT AREA (SINGLE DETACHED DWELLING)	6,000 SF	N/A	14,092± SF	N/A
MINIMUM LOT AREA (DUPLEX & ABOVE)	10,000 SF	14,898± SF	N/A	17,828± SF
MAXIMUM LOT COVERAGE	35%	23.6%	23.6%	20.0%
MAXIMUM DENSITY	7 UNITS/ACRE	2 UNITS	1 UNIT	2 UNITS
MINIMUM BUILDING SETBACKS				
FRONT YARD	AVG. OF TWO ADJACENT LOTS	16'±	N/A	18'±
SIDE YARD	10% LOT WIDTH OR 5'	SEE PLAN	SEE PLAN	SEE PLAN
REAR YARD	25% LOT DEPTH OR 20'	N/A	25'±	46'±



PLANTING SCHEDULE:			
DECIDUOUS TREES			
QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE/SPEC.
4	ACER RUBRUM	RED MAPLE	2.5 IN., B&B
EVERGREEN TREES			
4	PINUS STROBUS	WHITE PINE	5-6 FT., B&B

SITE PLAN
SCALE 1" = 20'



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REVISION DATE & DESCRIPTION
03/12/14 - REVISED PER CITY
03/25/14 - REVISED PER CITY
06/24/14 - ADDED TREES
AND UTILITY CUTOFF
03/29/15 - ADDED LOT 2
ACCESS EASEMENT ACROSS LOT 3

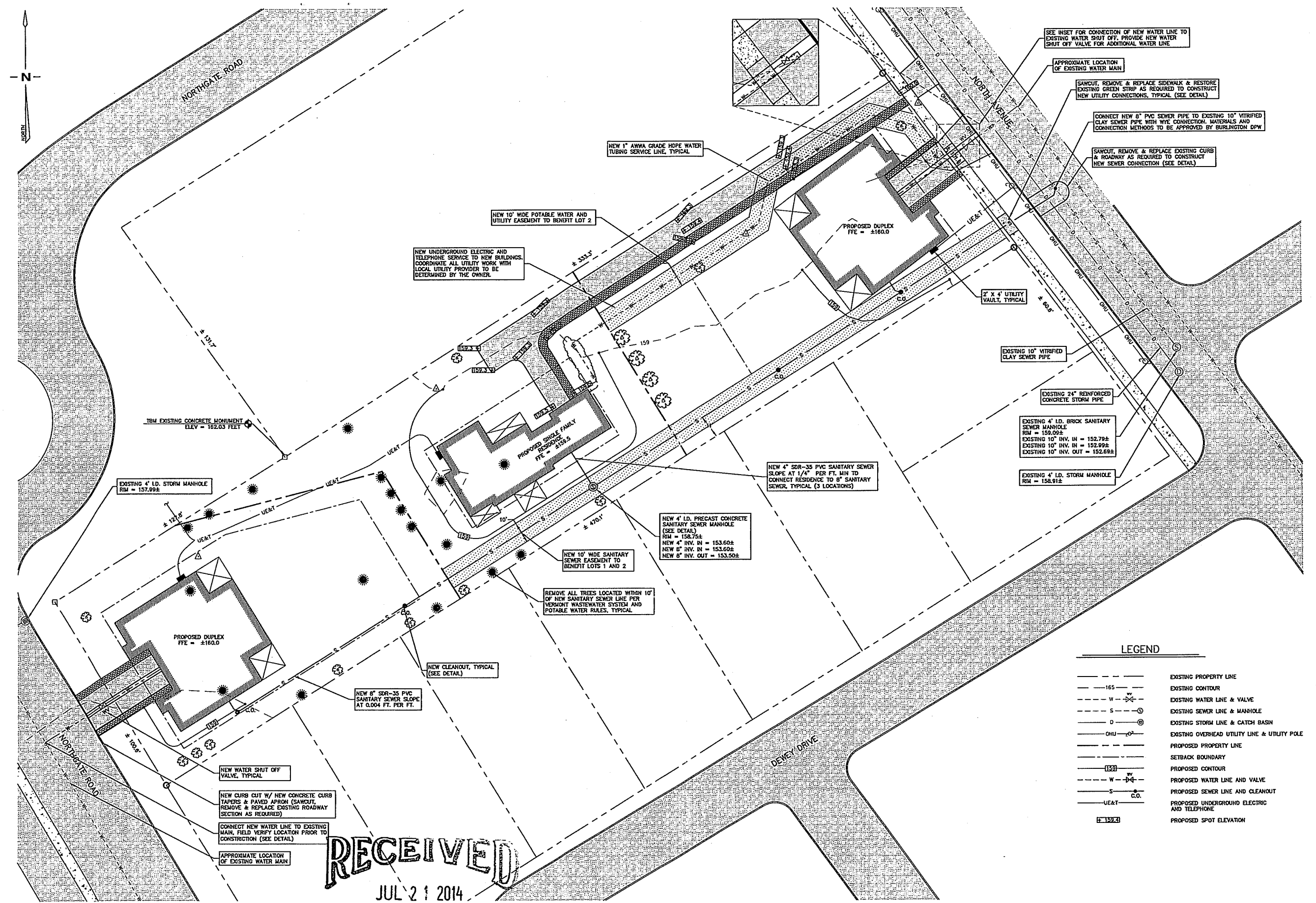
Champlain Consulting ENGINEERS
85 PRIM ROAD, P.O. BOX 453
COLCHESTER, VERMONT 05446
(802) 863-8060 • 864-1878 FAX
www.champlain-engineers.com



TOM MITCHELL
RESIDENTIAL SUBDIVISION
1891 NORTH AVENUE
SITE PLAN

DRAWN	CCE
CHECKED	MEC
SCALE	1" = 20'
DATE	10/31/13
JOB NO.	29104
SHEET	

C-2



LEGEND	
---	EXISTING PROPERTY LINE
-165-	EXISTING CONTOUR
W - 1/4"	EXISTING WATER LINE & VALVE
S - 1/4"	EXISTING SEWER LINE & MANHOLE
D - 1/4"	EXISTING STORM LINE & CATCH BASIN
OHU - 1/4"	EXISTING OVERHEAD UTILITY LINE & UTILITY POLE
---	PROPOSED PROPERTY LINE
---	SETBACK BOUNDARY
-159-	PROPOSED CONTOUR
W - 1/4"	PROPOSED WATER LINE AND VALVE
S - 1/4"	PROPOSED SEWER LINE AND CLEANOUT
UE&T	PROPOSED UNDERGROUND ELECTRIC AND TELEPHONE
± 159.2	PROPOSED SPOT ELEVATION

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DEPARTMENT OF
PLANNING & ZONING

GRADING AND UTILITY PLAN
SCALE 1" = 20'
Graphic Scale

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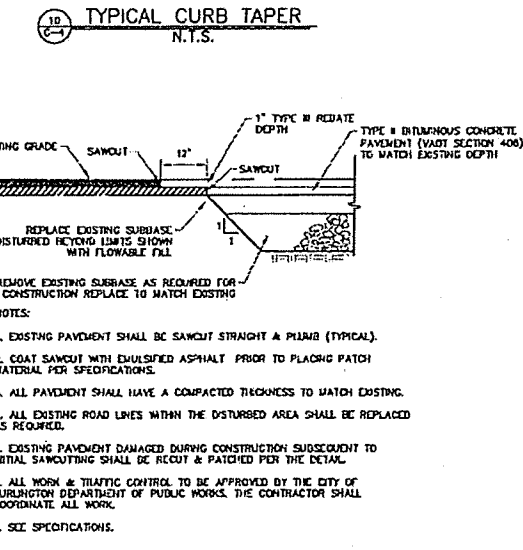
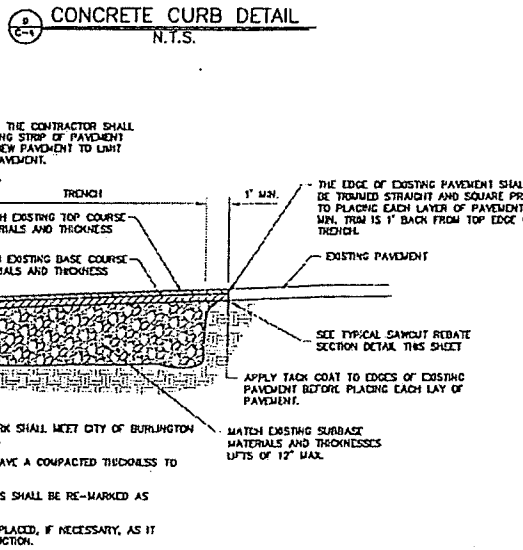
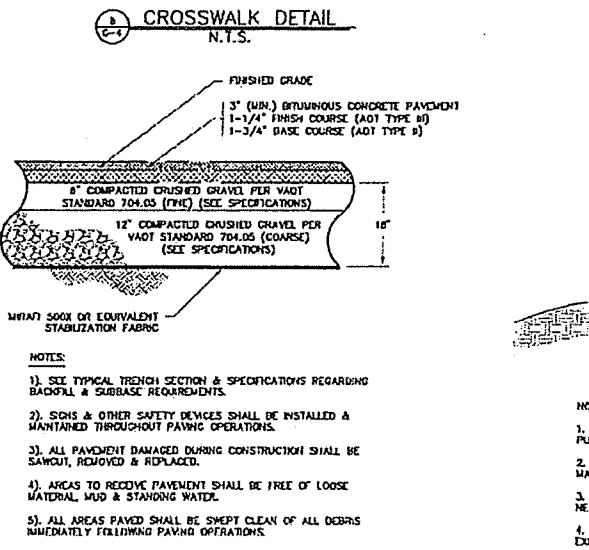
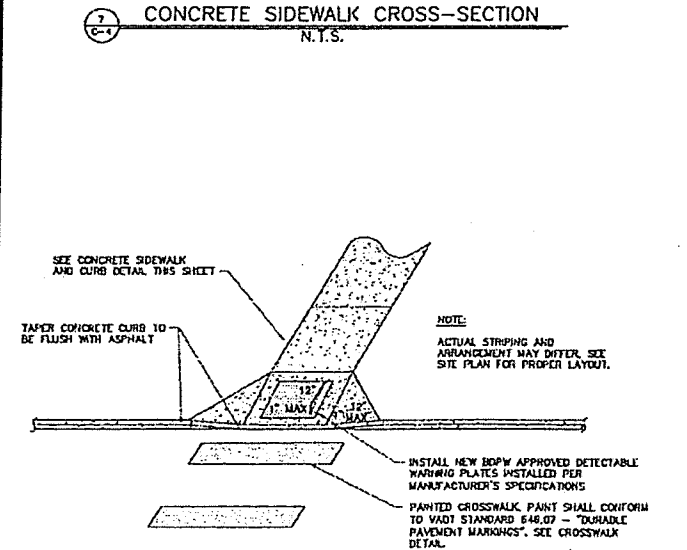
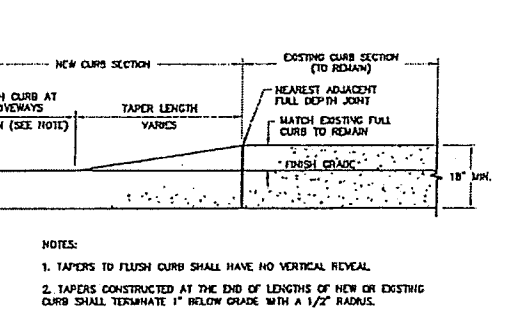
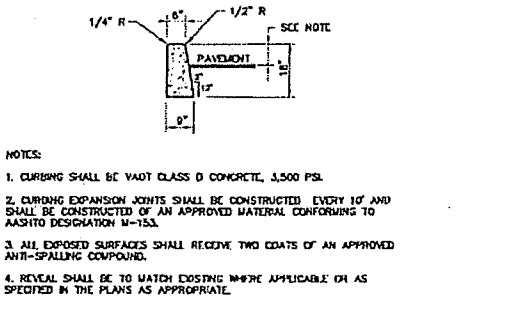
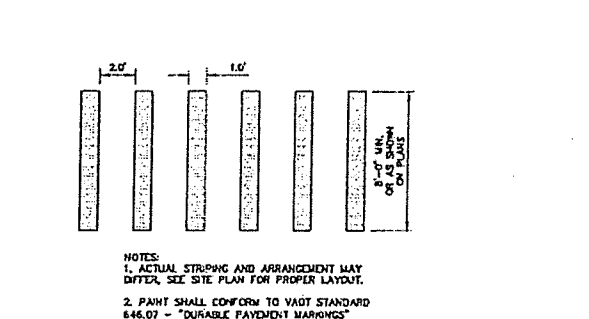
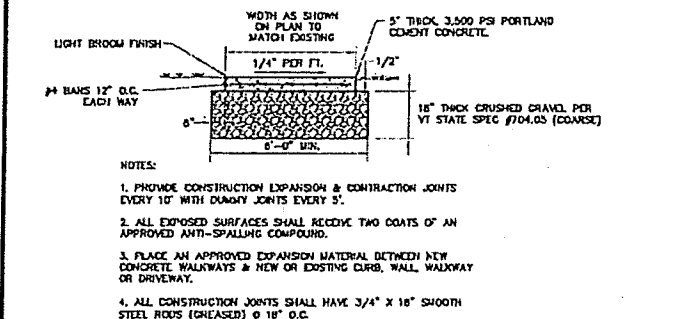
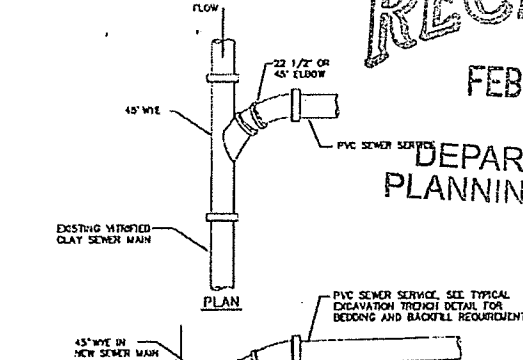
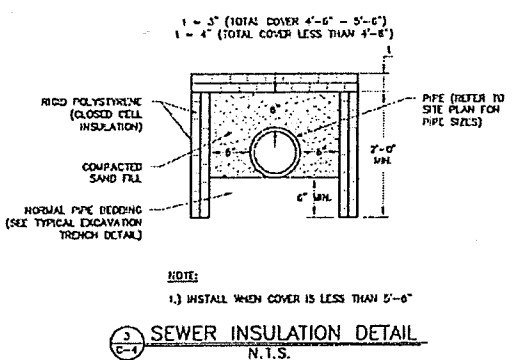
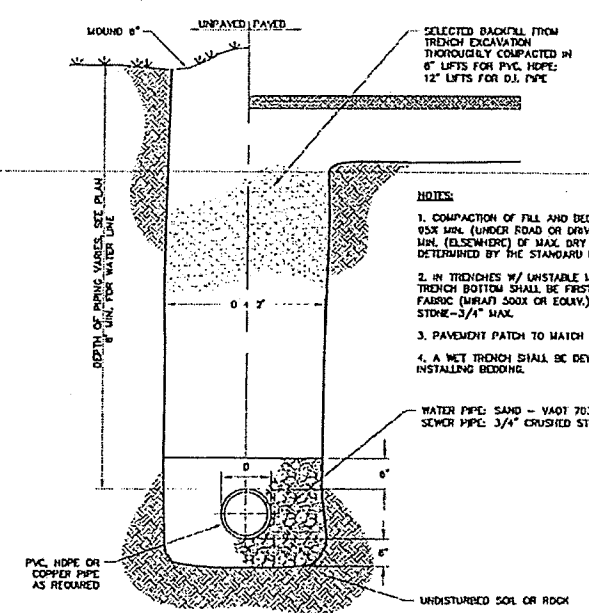
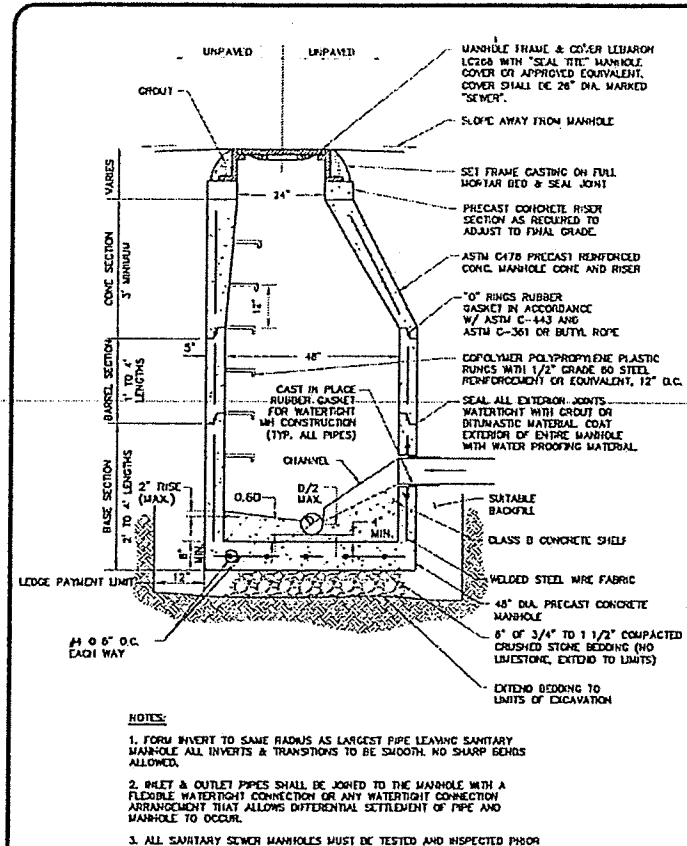
REVISION DATE & DESCRIPTION
03/12/14 - REVISED PER C
03/22/14 - REVISED PER C
06/24/14 - ADDED TREES
AND UTILITY CLOSET

Champlain Consulting
ENGINEERS
85 PRIM ROAD, P.O. BOX 453
COLCHESTER, VERMONT 05446

SITE OF VERMONT
PLATE, CLOSET
NO. 8745
CIVIL
LICENSED
PROFESSIONAL ENGINEER

TOM MITCHELL
RESIDENTIAL SUBDIVISION
1891 NORTH AVENUE

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10/31/13
JOB NO.
29104
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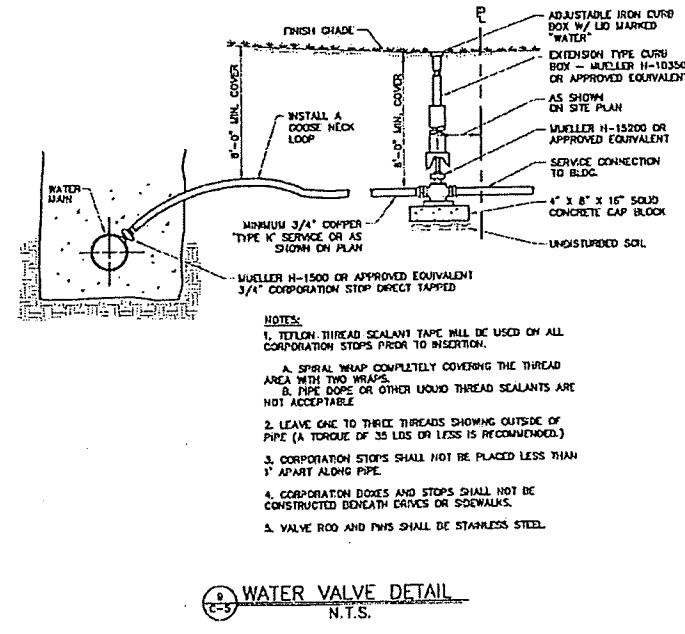
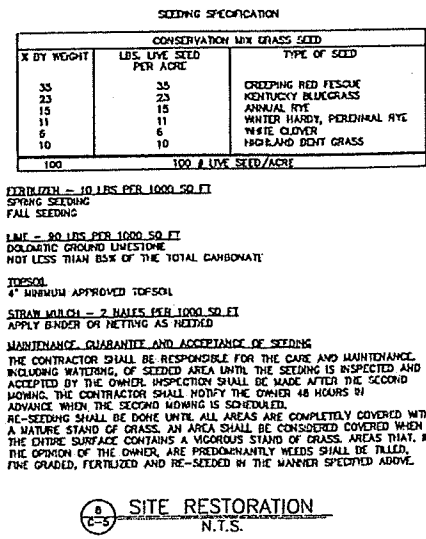
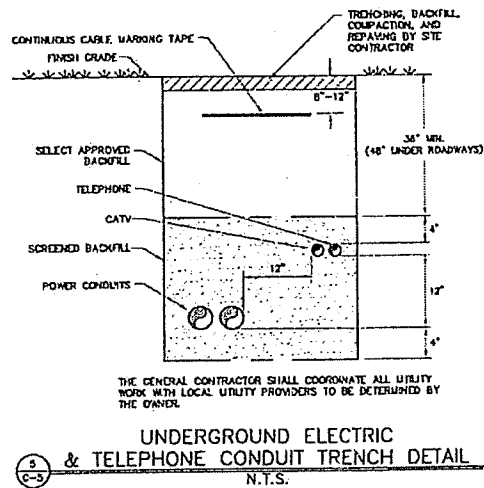
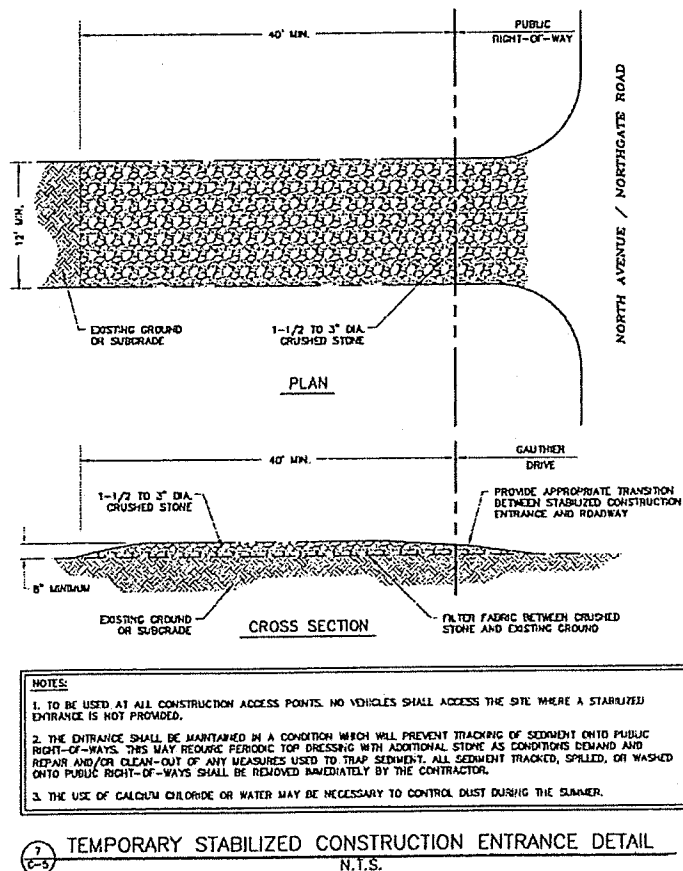
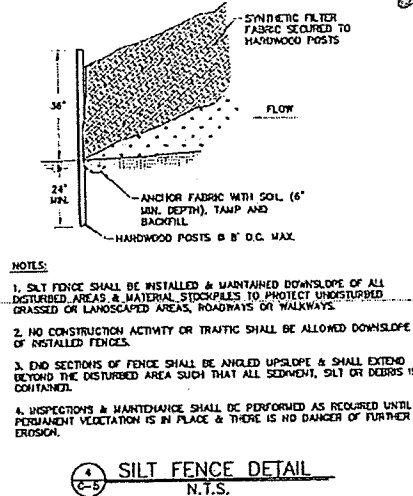
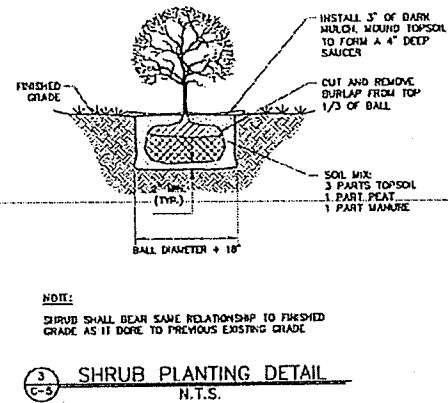
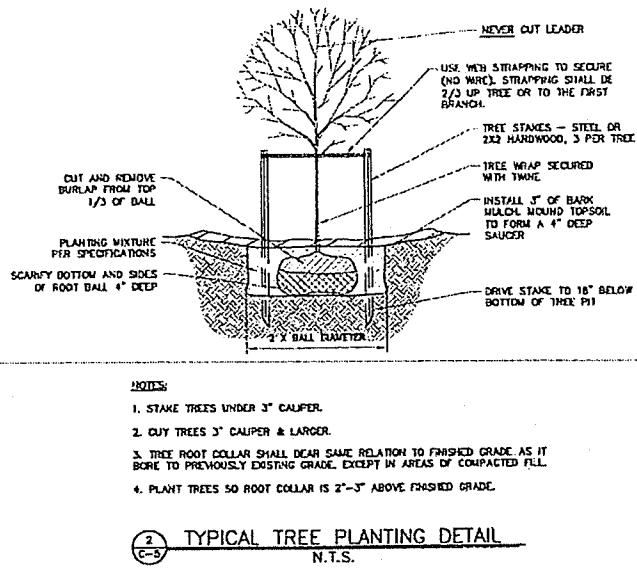
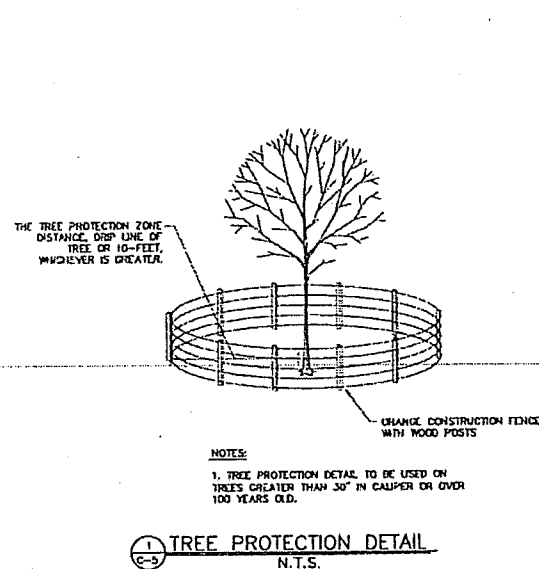
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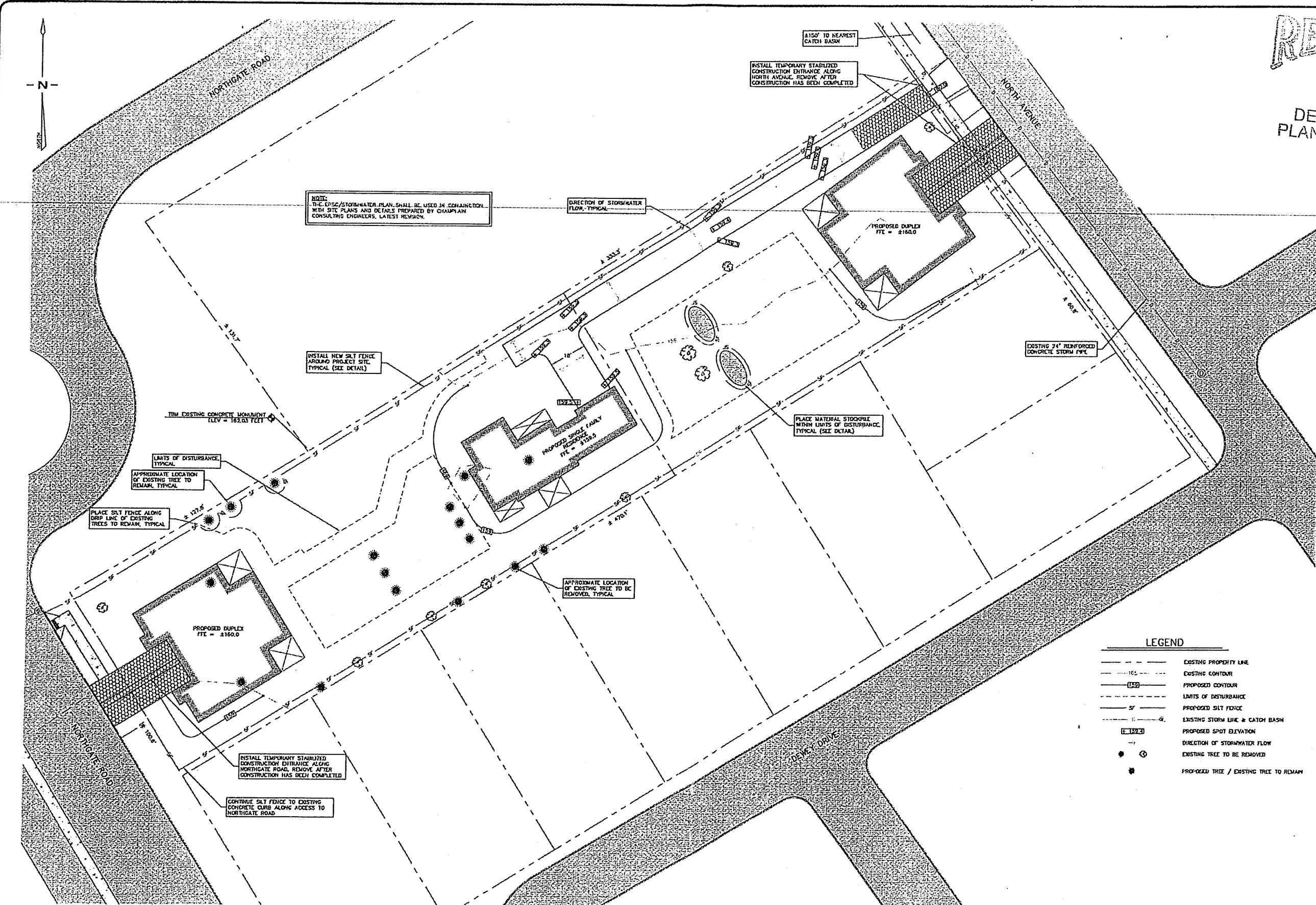
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ENGINEERS
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STATE OF VERMONT
PLANNING BOARD
110, 87-15
CIVIL
M. J. Mitchell
Professional Engineer

TOM MITCHELL
RESIDENTIAL SUBDIVISION
1891 NORTH AVENUE
BURLINGTON
VERMONT
DETAILS

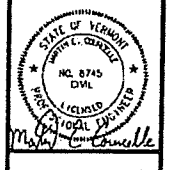
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MEC
SCALE
N.T.S.
DATE
10/31/13
JOB NO.
29104
SHEET
C-4
OF 7 SHEETS





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TOM MITCHELL
RESIDENTIAL SUBDIVISION
1891 NORTH AVENUE
STORMWATER/EPSC PLAN
BURLINGTON VERMONT

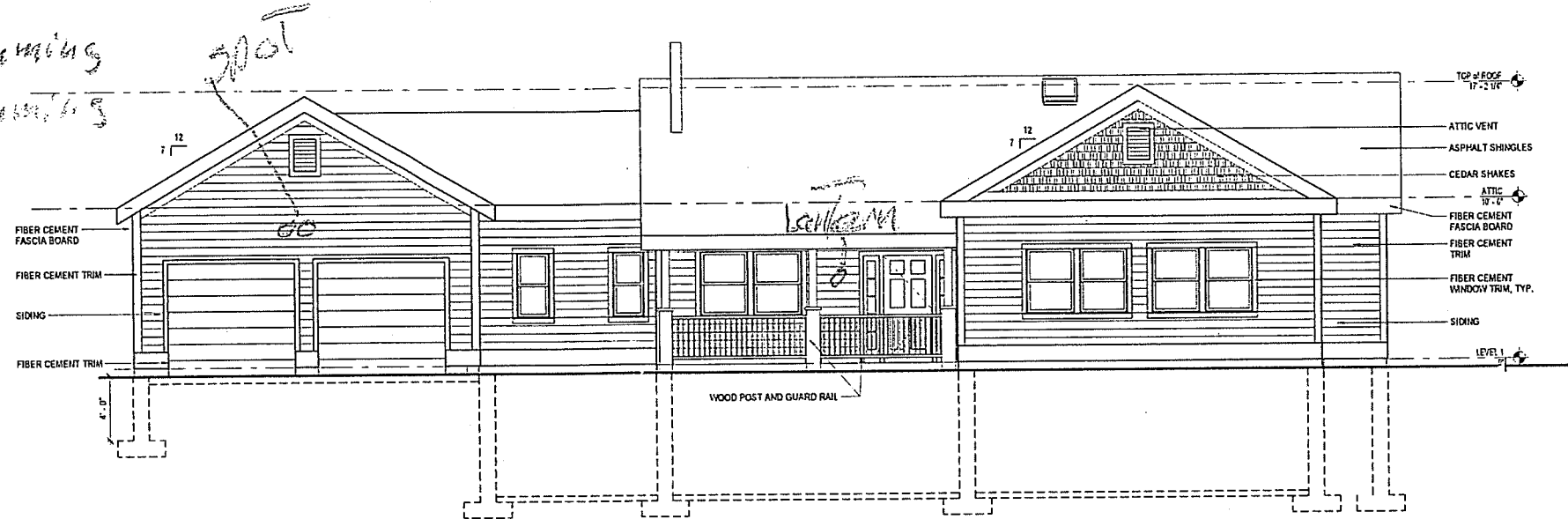
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CHECKED: MEC
SCALE: 1" = 20'
DATE: 10/31/13
JOB NO.: 29104
SHEET

EC-1
OF 1 SHEETS

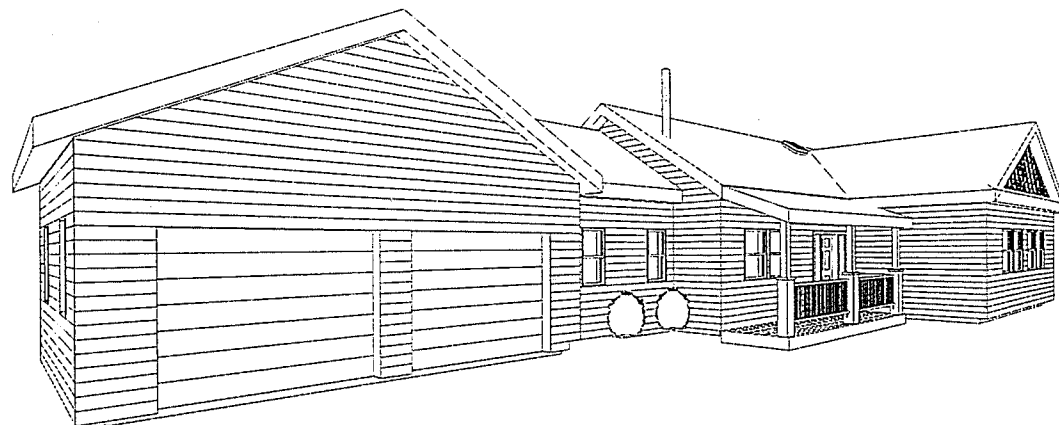
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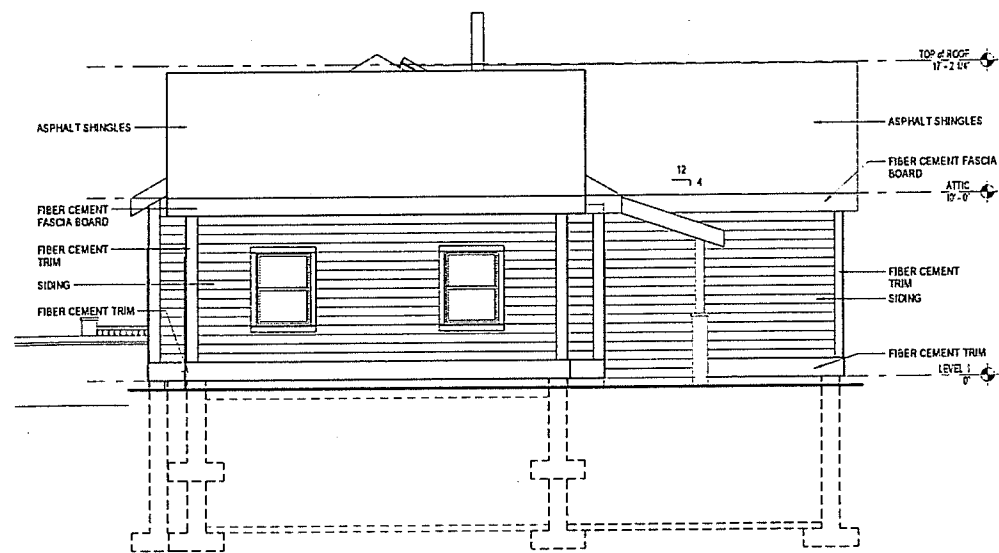
Lantern 850 Lumber
Spot 1000 Lumber



2 ELEVATION - SOUTH
SCALE: 1/4" = 1'-0"



1 SOUTH WEST
SCALE: NOT TO SCALE



3 ELEVATION - WEST
SCALE: 1/4" = 1'-0"

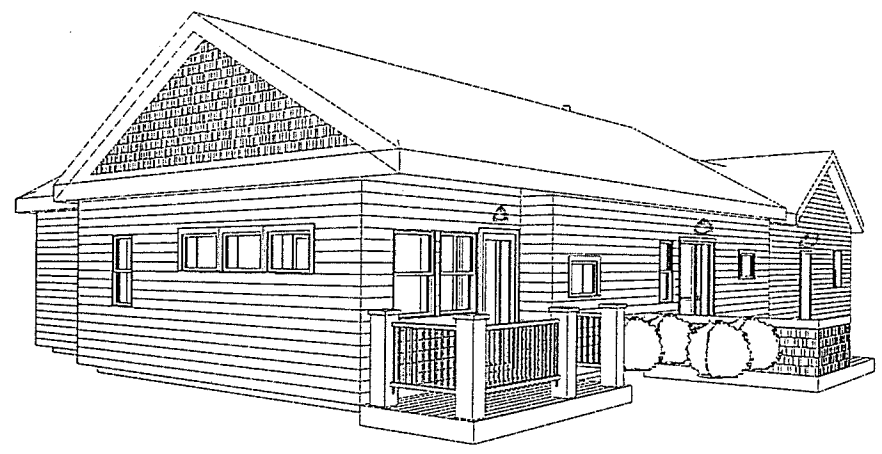
MITCHELL PROJECT
SINGLE FAMILY
NORTH AVENUE
BURLINGTON, VT

09.18.13

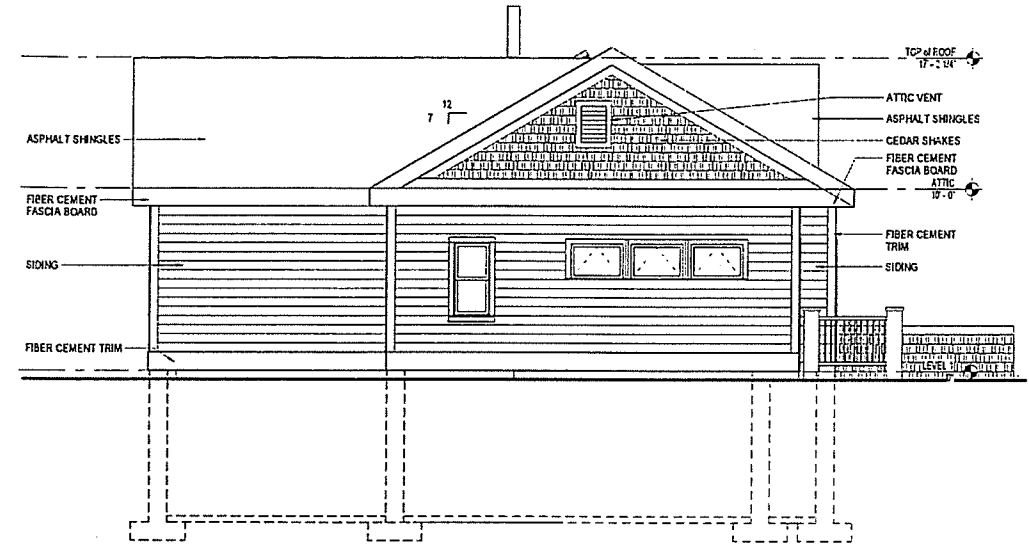
ELEVATIONS

A200

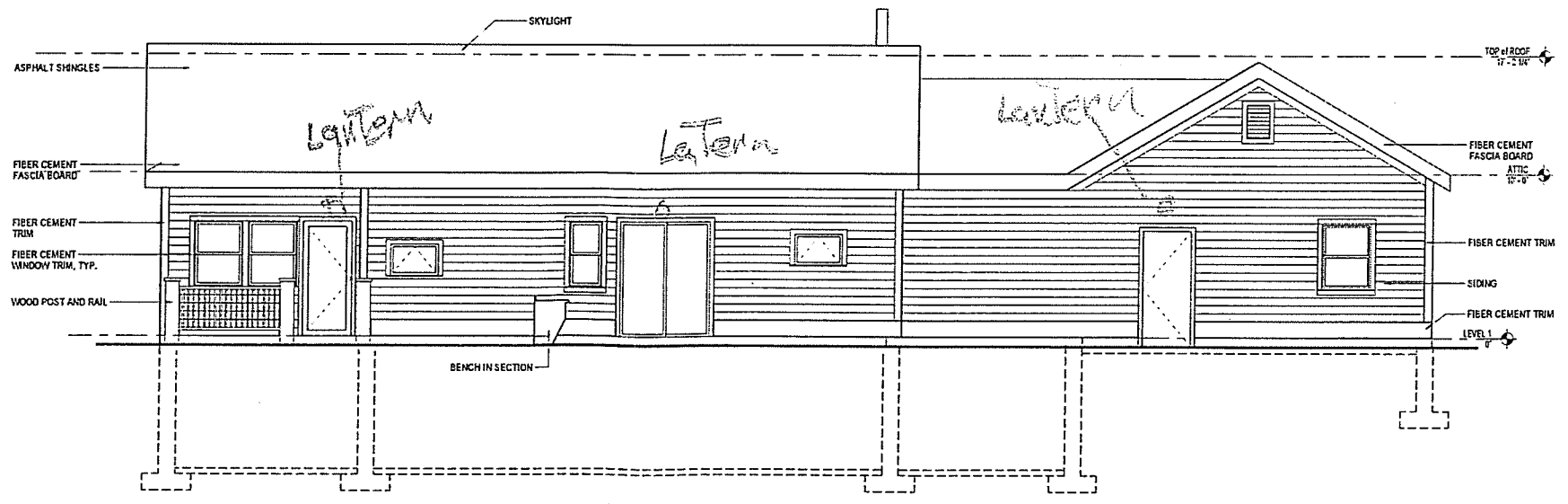
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3 NORTH EAST
SCALE: 1/4" = 1'-0"



2 ELEVATION - EAST
SCALE: 1/4" = 1'-0"



1 ELEVATION - NORTH
SCALE: 1/4" = 1'-0"

MITCHELL PROJECT
SINGLE FAMILY
NORTH AVENUE
BURLINGTON, VT

09.18.13

ELEVATIONS

Department of Permitting & Inspections

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

*William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator*



TO: Development Review Board
FROM: Scott Gustin
DATE: August 6, 2019
RE: 20-0034CU; 39 Westward Drive

=====

The applicant for this permit request – to establish a small daycare center – has withdrawn the application.

Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: August 6, 2019
RE: 19-1017CU; 186 South Willard 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: I Ward: 6S

Owner/Applicant: Nancy Cotton

Request: Convert single family dwelling into triplex. No exterior building changes. Site alterations are limited to new AC compressors and pads.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 6 (Development Review Standards), Article 8 (Parking)

Background Information:

The applicant is seeking approval to convert an existing detached single family dwelling into a 3-unit multi-family dwelling. All renovation work will be within the building. The site remains essentially unchanged with the only proposed alteration being new pads on which to install new AC compressors for the three residential units. The property is located within the institutional zone and requires conditional use review for conversion to a multi-family dwelling.

Previous zoning actions for the property:

- 4/18/95, Approval to install a metal asbestos flue through the flat roof
- 3/14/95, Approval to expand the parking area and to construct patio and walkways

Recommendation: Conditional Use 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:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. Existing or planned public utilities, facilities or services are capable of supporting the proposed use in addition to the existing uses in the area;

The property is served by municipal water and sewer. Sufficient capacity is available to serve the additional two dwelling units. Although the total bedroom count of 6 will remain unchanged, a state wastewater permit is likely needed due to the increase in dwelling units. It is the applicant's responsibility to pursue a state wastewater permit. **(Affirmative finding)**

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 subject property is located within the institutional zone. This district is primarily intended to support the growth and flexibility of the city's major educational and health care institutions. The district is also intended to support a broad range of related uses. Multi-family housing is one such use. Development should be sensitive to the historic development pattern of the existing campuses and surrounding residential neighborhoods. The conversion of this historic home to a multi-family dwelling will leave its exterior fully intact. The proposal is consistent with the intent of the institutional zone. **(Affirmative finding)**

3. The proposed use will not have nuisance impacts form noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;

While the number of dwelling units will increase from one to three, the scale of residential use will not change. The small increase in residential density is not expected to generate nuisance impacts such as those noted in this criterion. **(Affirmative finding)**

4. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation; safety for all modes; and adequate transportation demand management strategies;

No traffic analysis has been provided nor is required for a project of this small scope. Additional traffic generation associated with the two additional dwelling units is expected to be minor. **(Affirmative finding)**

5. Utilization of renewable energy resources;

Utilization of renewable energy resources is not included in this application. As proposed, the development will not preclude such utilization on the subject property or on neighboring properties in the future. **(Affirmative finding)**

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

It is the applicant's responsibility to comply with other applicable city and state bylaws and ordinances.

(b) Major Impact Review Standards

Not applicable.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

The proposed small scale residential development will not generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

2. Time limits for construction.

The application contains no request for extended construction. As such, the standard 3-year time frame will apply (one year to start and another two years to finish). **(Affirmative finding)**

3. Hours of operation and/or construction to reduce the impacts on surrounding properties.

Hours of operation need not be specified for this residential project. Given that almost all work will be within the building interior, construction related impacts to the neighborhood are expected to be minor. Unless otherwise requested, days and hours of construction should be limited to Monday – Saturday, 7:30 AM – 5:30 PM. No construction on Sunday. **(Affirmative finding as conditioned)**

4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

See the recommended conditions.

Article 4: Maps & Districts

Sec. 4.4.4, Institutional District:

(a) Purpose

See Sec. 3.5.6 (a) 2 above.

(b) Dimensional Standards & Density

Residential density is limited to 20 units/acre in the institutional zone. The subject property is 13,134 sf (0.3 acre). The proposal for 3 residential units is within the allowable density.

Lot coverage is presently 37%. The new AC compressor pads will increase lot coverage to 37.1%. Maximum permissible lot coverage in this zone is 40%. **(Affirmative finding)**

(c) Permitted & Conditional Uses

Multi-family dwellings in the institutional zone subject to conditional use review. Such review is incorporated into this permit. **(Affirmative finding)**

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Sec. 6.1.2, Review Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

The only exterior change included in this application is the installation of several pads on which to install AC compressor units for the new dwellings. Two options are depicted on the site plan. One is located next to the house and screened with existing landscaping. The other is located next to the adjacent property. So as to limit potential noise impacts on the neighboring property, the option next to the subject triplex is recommended. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

Not applicable.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the shared use parking district. The conversion of a single family home to a triplex requires 3 onsite parking space (1 per dwelling unit). The site plan depicts 3 surface parking spots and a detached garage.

The driveway is shared with the neighboring property. The owner of this neighboring property has stated that there is no shared access easement between the two properties for the shared driveway. In the event that shared use of the driveway is precluded, some driveway modification will be necessary to provide adequate access to the street. Specifically, the stem of the driveway and its related curb cut will need to be widened to at least 7' on the subject property. The angled parking spaces and related back-up lengths remain dimensionally compliant with the standards of Table 8.1.11-1, *Minimum Parking Dimensions*. **(Affirmative finding as conditioned)**

Sec. 8.2.5, Bicycle Parking Requirements

The conversion to a triplex triggers the need for onsite bike parking. None is evident. The three 2-bedroom units will require three long-term bike parking spaces and two short term spaces. The long term spaces may be accommodated within the dwelling units. A bike rack may be used to satisfy the short term bike parking requirement. Revised plans are needed to reflect the required bike parking. **(Affirmative finding as conditioned)**

II. Conditions of Approval

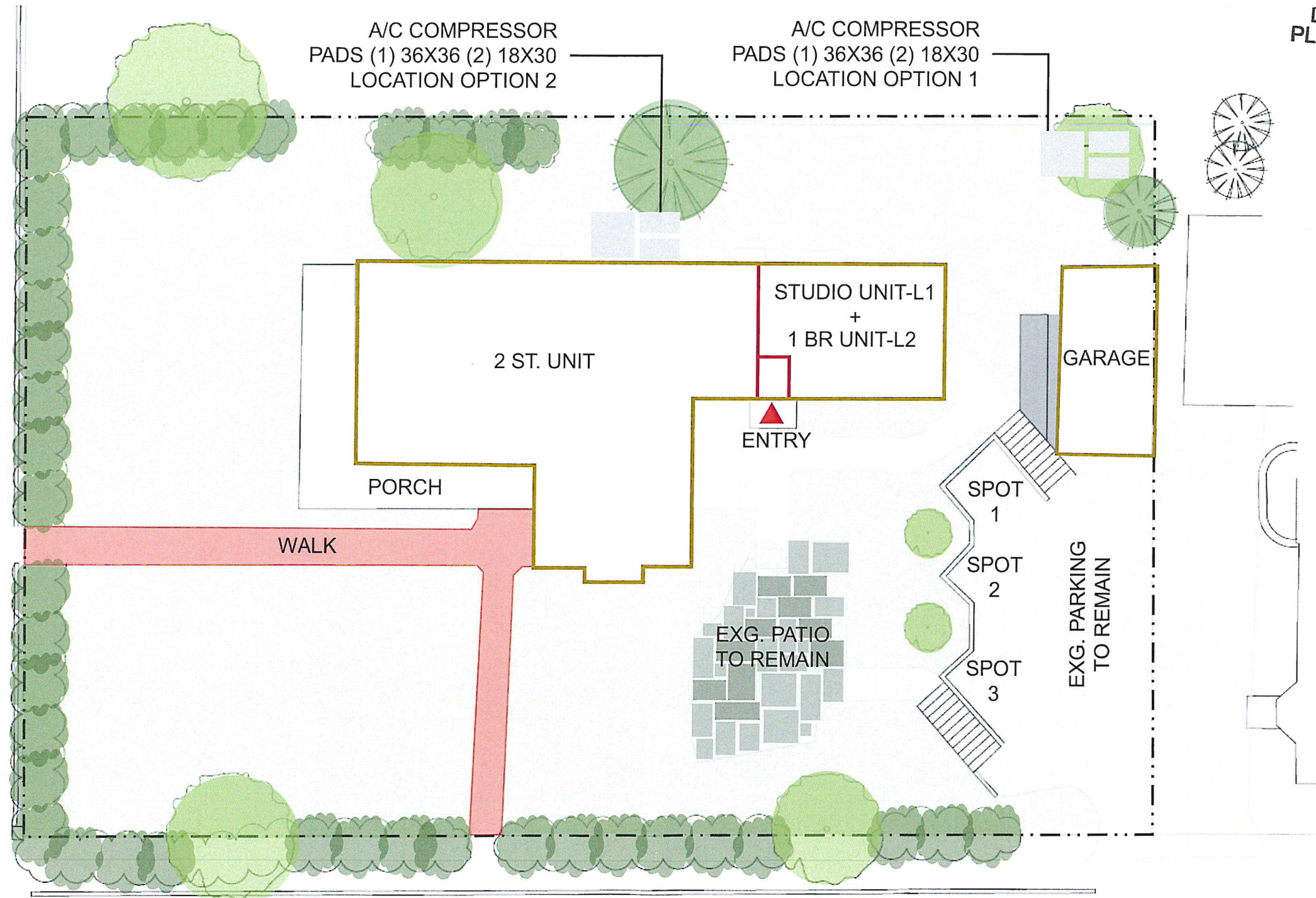
1. **Prior to release of the zoning permit**, revised plans shall be submitted subject to staff review and approval. Revised plans shall:
 - a. Depict a single pad and AC compressor location adjacent to the triplex;
 - b. Depict long and short term bicycle parking required per Sec. 8.2.5; and
 - c. Depict driveway revisions per Sec. 8.1.8 if necessary.
2. Days and hours of construction shall be limited to Monday – Saturday, 7:30 AM – 5:30 PM.
3. A State of Vermont wastewater permit is required.
4. The proposed construction shall comply with Burlington's current energy efficiency standards and with Burlington's current egress requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
5. Standard permit conditions 1 -15.

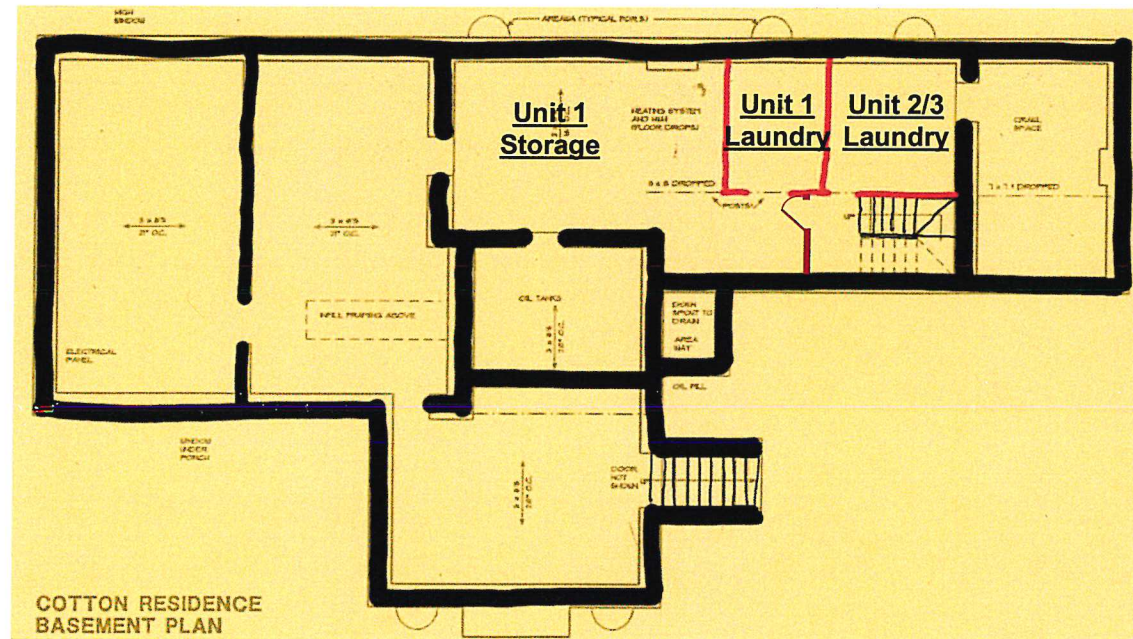
Owners: Paul/ Nancy Cotton
Property: 186 S. Willard (John Dewey House)
Historic: Listed on both National and State Historic Registers
Project: Convert a single-family home to a multi-family, 3-unit residence within existing building (no new construction)

Zoning Districts: Institutional/Shared Use Parking
Property Area: 13,148 sf (0.3 acres)
Dimensional Req.'s: Max. Intensity 20 du/ac= 6 allowable
No change to existing coverage/dimensional req.
Conditional Use Req.'s: (3.5.6 (a))

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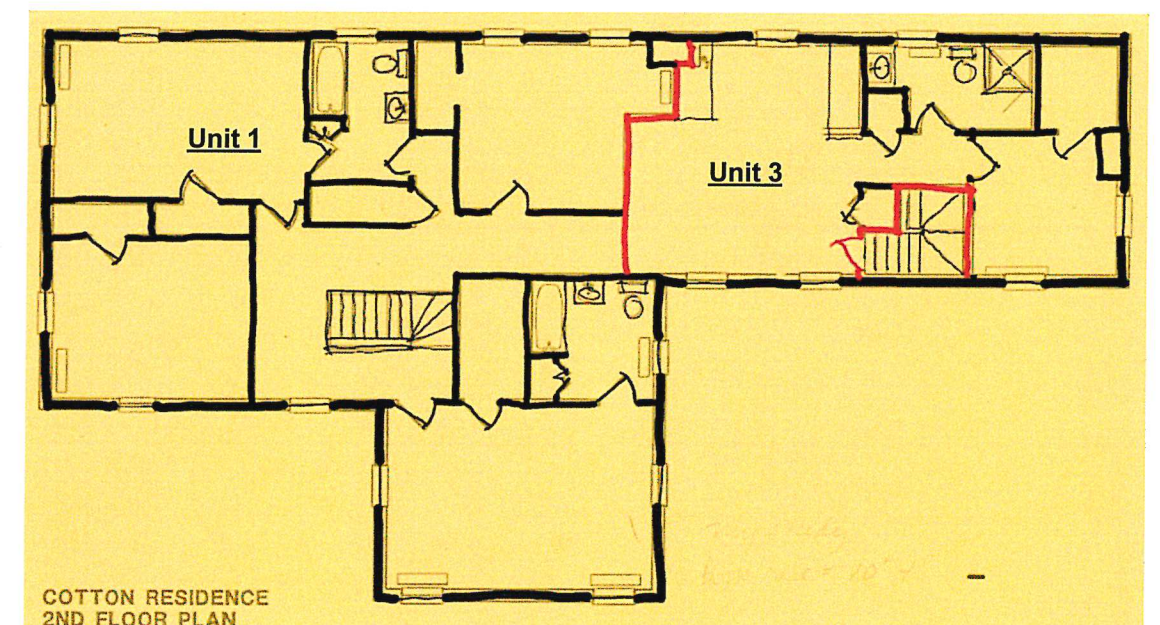
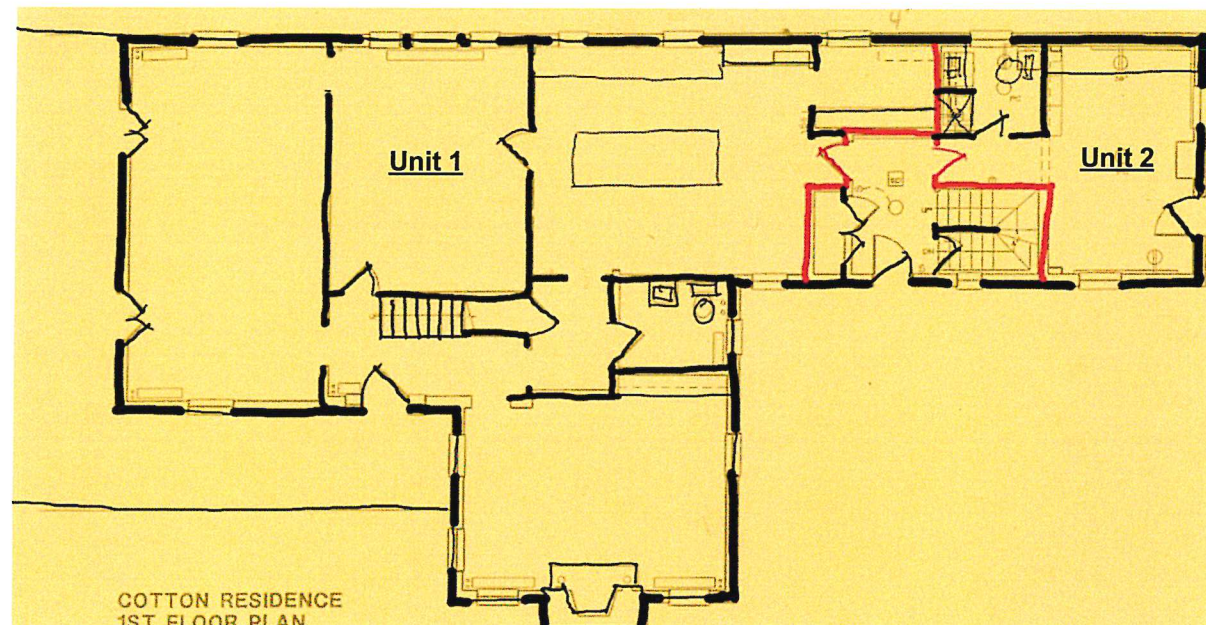
DEPARTMENT OF
PLANNING & ZONING





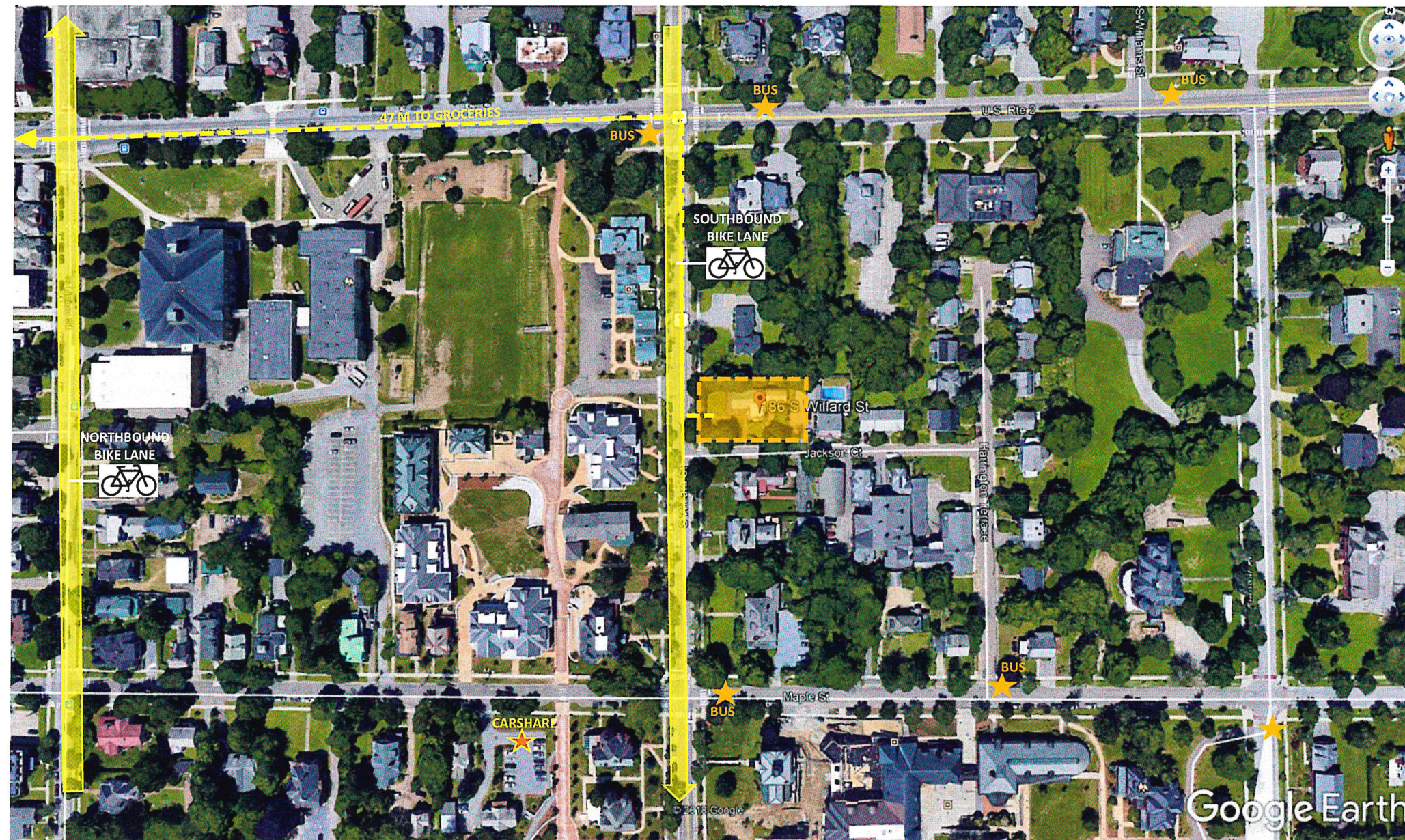
CONCEPT LAYOUTS
FINAL PLAN LAYOUTS
TBD

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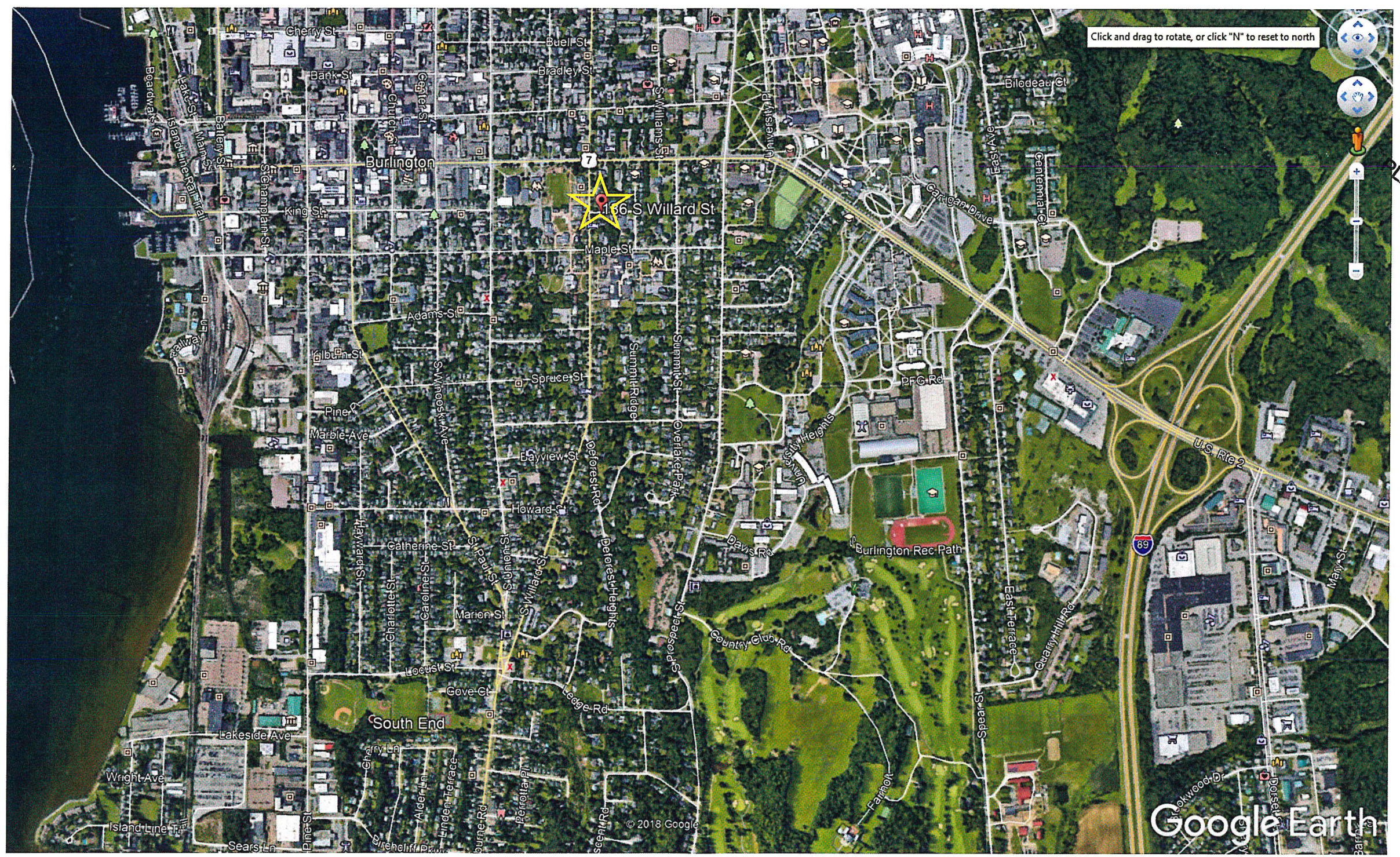
Conditional Use Review Sec. 3.5.6 (a) Review Standards

- 1 The existing home has 6 bedrooms and the proposed multi-unit home shall retain the same number of bedrooms, limiting occupants to the same/similar count as is currently in use. There is no increase in bathrooms. The renovation will include an additional washer/dryer and 2 Kitchenettes. Parking shall remain unchanged
- 2 The character of the area shall remain unchanged, as all of the renovations will happen inside the existing structure with no external indication of the changes inside.
- 3 Proposed use will not have nuisance impacts greater than is already in the area. This property is zoned in the institutional district and sits just across from one edge of the CC overlay district. And a half block away from another edge of the CC overlay district. It will remain a residentially scaled and used building in an institutional district with a combination of residentially scaled and campus scaled buildings.
- 4 Along with already having the required number of parking spots, this property sits within walking distance of all City amenities, bike lanes and public transportation lines.
- 5 Any opportunity for improvements, where new construction occurs, to MEP equipment/Energy will be made.

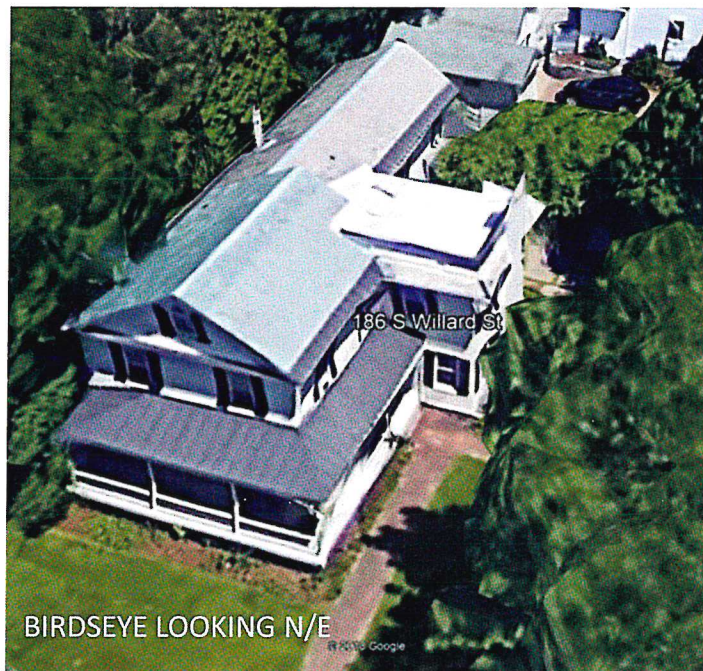


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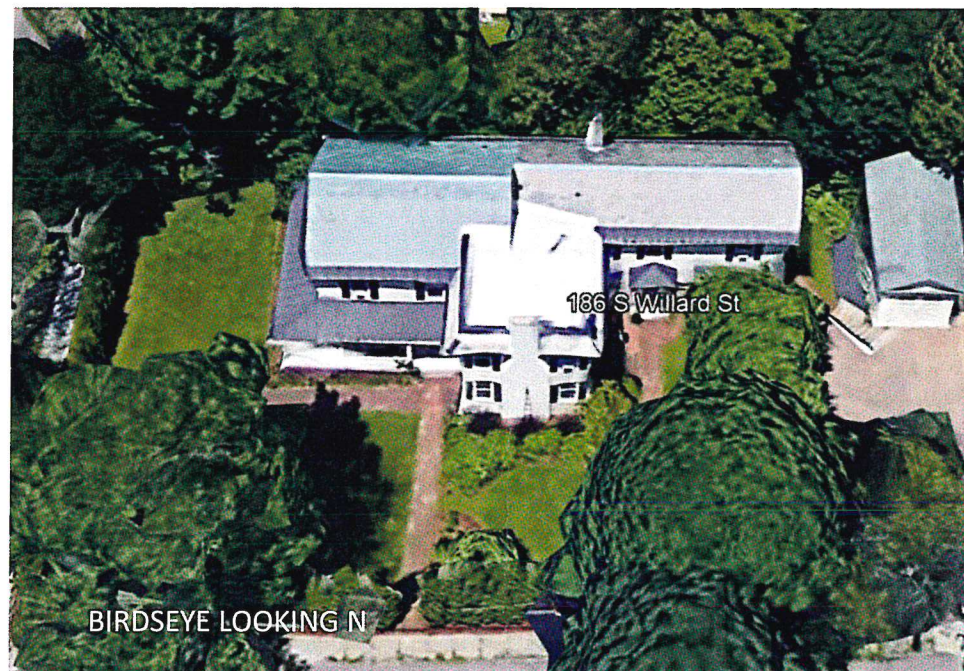




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BIRDSEYE LOOKING N



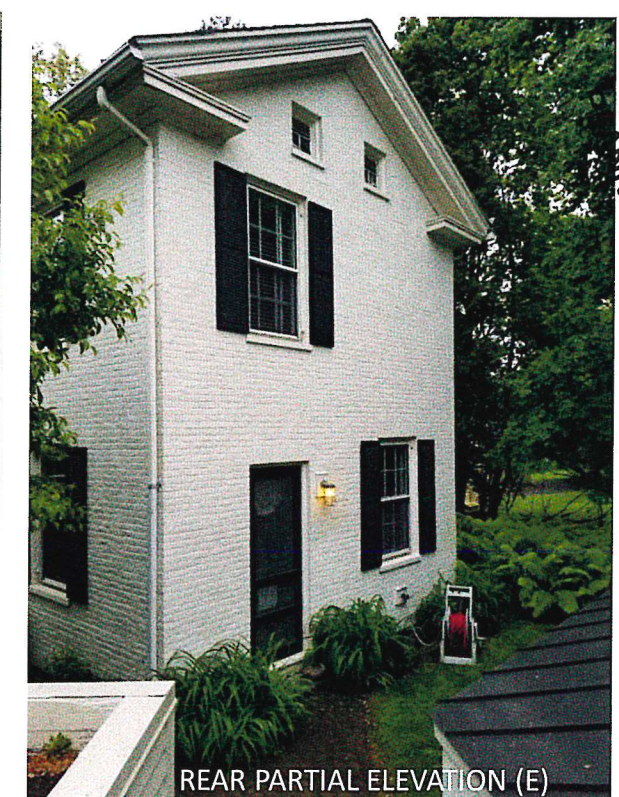
JACKSON CT PARTIAL ELEVATION (S)



WILLARD ST ELEVATION (W)



JACKSON CT PARTIAL ELEVATION (S)



REAR PARTIAL ELEVATION (E)

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Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

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Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: August 6, 2019
RE: 19-1026CA; 46 Appletree Point Road

=====

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: WRL Ward: 4N

Owner/Applicant: James Townsend & Rene Lauber

Request: Construct addition to existing single family home.

Applicable Regulations:

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

Background Information:

The applicant is seeking approval to construct an addition to an existing single family home. No change in use is proposed. The parcel is large and contains a couple of ponds that are included in the city's wetlands map. Construction will take place within the associated 100' buffer zone. As a result, review by the Conservation Board is necessary. The addition is large enough to trigger review by the Development Review Board as well.

The Conservation Board will review this application on August 5. Recommendations of that Board will be provided for Development Review Board consideration.

Previous zoning actions for this property are noted below:

- 9/19/13, Approval to install split rail fence
- 10/16/12, Lot line adjustment approval with Staniford Farms PUD
- 4/11/07, Approval to replace porch roof with standing seam metal
- 8/30/06, Approval to construct addition to single family home
- 10/13/94, Approval to construct single family home on vacant lot

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

I. Findings

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(2) Waterfront Residential Low Density (W-RL)

The subject property is located in the W-RL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes with consideration given to design review. The existing single family home is consistent with this purpose.

(Affirmative finding)

(b) Dimensional Standards & Density

Residential density will not change.

Lot coverage will increase to 3.9% and will remain well below the 35% limit.

The lot is large and irregularly shaped. It is a corner lot with frontage on Appletree Point Road and Staniford Farms Road. As a result, both street frontages have associated front yard setbacks. All other property lines are affected by side yard setbacks. The front yard setback along Appletree Point Road will remain unchanged. The existing front yard setback along Staniford Farms Road is nonconforming (set too far back) based on the neighboring homes; however, the proposed addition will lessen this degree of nonconformity and is acceptable. The minimum required side yard setback for all of the other property lines is 20.' As proposed, the addition complies with this minimum side yard setback.

The proposed addition approximates the height of the existing home. Measured to the midpoint of the roof rise, it is ~ 22' tall. This height is below the 35' height limit. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The single family home is a permitted use in the W-RL zone. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No encroachments are being sought. **(Not applicable)**

2. Height

No height bonuses are being sought. **(Not applicable)**

3. Lot Coverage

No lot coverage bonuses are being sought. **(Not applicable)**

4. Accessory Residential Structures and Uses

No new accessory structures or uses are proposed. **(Not applicable)**

5. Residential Density

The home shall continue to be occupied by a "family" as defined in the Comprehensive Development Ordinance. **(Affirmative finding)**

6. Uses

No neighborhood commercial use is included in this proposal. **(Not applicable)**

7. Residential Development Bonuses

No development bonuses are being sought. **(Not applicable)**

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

(d) District Specific Regulations: Wetland Conservation Zone

The subject property contains a large manmade pond that appears on the city's wetlands map. The State of Vermont wetlands office has reviewed the property and has declined jurisdiction. Because of the pond's inclusion in the city's wetlands map, review by the Conservation Board is required. The addition will be set within the 100' wide wetland buffer zone. No direct impacts are proposed. The Conservation Board will review this application at their August 5, 2019 meeting and provide the Development Review Board with a recommendation. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) 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 outdoor lighting is proposed. **(Not applicable)**

Sec. 5.5.3, Stormwater and Erosion Control

An erosion prevention and sediment control plan is required and has been submitted. It is subject to final review and approval by city stormwater program staff. **(Affirmative finding as conditioned)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

The property contains a mix of open and wooded areas. The proposed addition would be situated on what is presently lawn. As noted above, the addition will impact the 100' wetland buffer zone around the onsite pond. The Conservation Board will provide the DRB with a recommendation following their review of the project. **(Affirmative finding)**

(b) Topographical alterations

The development site is flat. No significant topographical alterations are included in this proposal. **(Affirmative finding)**

(c) Protection of important public views

There are no identified public views from or through this property. **(Affirmative finding)**

(d) Protection of important cultural resources

The existing home is not historic nor are the neighboring homes. The subject property is of no known archaeological significance. **(Affirmative finding)**

(e) Supporting the use of alternative energy

Utilization of alternative energy is not included in this proposal. The addition will not adversely impact the actual or potential use of alternative energies by this, or neighboring, properties. **(Affirmative finding)**

(f) Brownfield sites

The subject property is not an identified brownfield. **(Not applicable)**

(g) Provide for nature's events

As total lot coverage exceeds 2,500 sf, a residential stormwater plan has been provided. There is no specific stormwater management plan, nor is one needed. The ~ 2 acre property contains ample green space to infiltrate runoff from impervious surfaces.

Ample room is available onsite for seasonal snow storage. **(Affirmative finding)**

(h) Building location and orientation

Building location and orientation remains unchanged. The home is set well back from the road and faces southeast towards Appletree Point Road. No new entries are included in the addition. **(Affirmative finding)**

(i) Vehicular access

Vehicular access remains unchanged. A private driveway accessing a detached garage stems off of Appletree Point Road. **(Affirmative finding)**

(j) Pedestrian access

Pedestrian access remains unchanged. **(Not applicable)**

(k) Accessibility for the handicapped

No handicap accessibility is evident or required with this proposal. **(Not applicable)**

(l) Parking and circulation

Parking and circulation remains unchanged. The detached 2-car garage contains room for the two required parking spaces. **(Affirmative finding)**

(m) Landscaping, fences, and retaining walls

No new landscaping is proposed. The proposed addition is fairly small in scale and has little impact on the property's green spaces. No new fencing or retaining walls are proposed.

(Affirmative finding)

(n) Public plazas and open space

No public plaza or open space is included or required in this proposal. **(Not applicable)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

No new site infrastructure is included in this proposal. **(Not applicable)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed addition (21' X 24') extends the width of the home by about a third. It is set back from the front plane of the home as viewed from the southeast. The addition is offset from the existing home with different cladding and a slightly lower roofline. The massing, height, and scale of the addition are compatible with the existing residence. **(Affirmative finding)**

2. Roofs and Rooflines

The addition will continue the gable roof style of the existing home; however, it will be rotated 90° with the eave end facing north. **(Affirmative finding)**

3. Building Openings

Fenestration throughout the addition is stylistically similar to that in the existing home. Double hung and awning windows with muntins will be installed. **(Affirmative finding)**

(b) Protection of important architectural resources

As noted above, the existing home is not historically significant. The addition will not adversely impact Burlington's diversity of historic buildings. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The existing home is set far back from the street and provides no "edge" per se. The proposed addition will be similarly situated. The street edge is defined largely by the dense evergreens lining the property's Appletree Point Road frontage. **(Affirmative finding)**

(e) Quality of materials

The addition will be clad in wooden clapboard and vertical board siding, similar to the wooden clapboard and shingle siding on the existing building. Roofing will be standing seam metal to match that on the existing home. Fiberglass windows will be installed throughout the addition. The proposed materials are of acceptable quality and durability. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed building must comply with the current energy efficiency standards of Burlington and the State of Vermont. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

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

(h) Integrate infrastructure into the building design

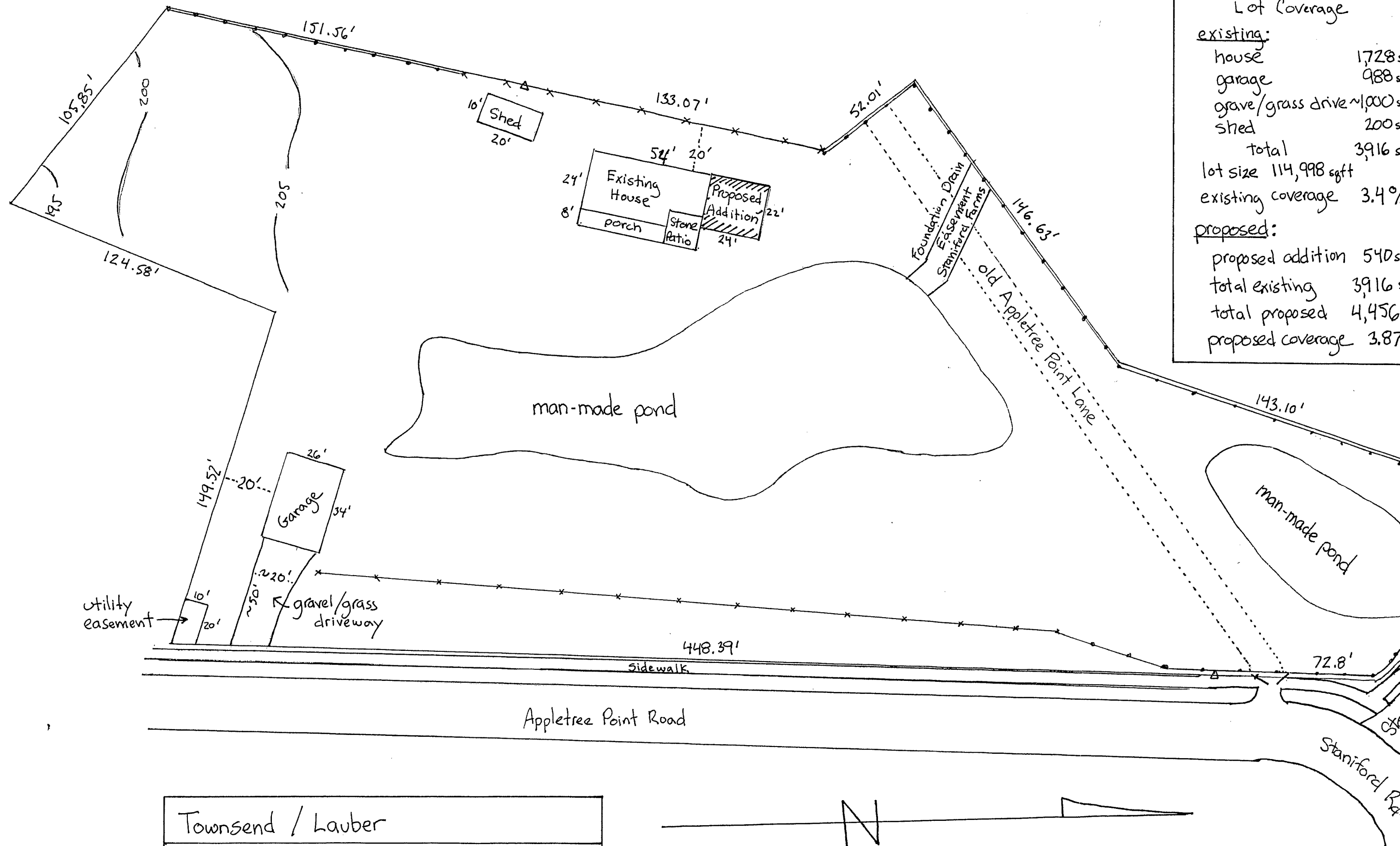
No new building infrastructure or mechanical equipment are included in the application. **(Not applicable)**

(i) Make spaces safe and secure

The proposed addition must comply with the city's current egress requirements. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. The dwelling unit is subject to the family occupancy provisions of the Comprehensive Development Ordinance.
2. Review and approval of the erosion prevention and sediment control plan and of the residential stormwater management questionnaire by the city's stormwater program staff are required.
3. The proposed construction shall comply with Burlington's current energy efficiency standards and with Burlington's current egress requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
4. Standard permit conditions 1 -15.



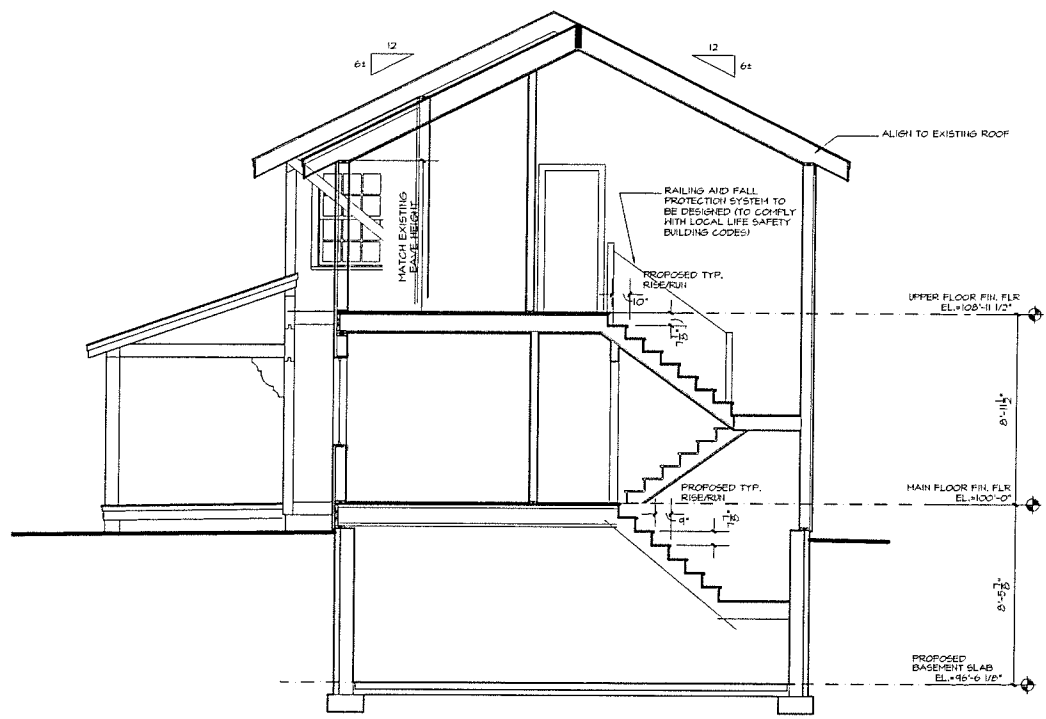
Lot Coverage	
<u>existing:</u>	
house	1,728 s
garage	988 s
grave/grass drive ~1,000 s	
shed	200 s
total	3,916 s
lot size 114,998 sqft	
existing coverage	3.4%
<u>proposed:</u>	
proposed addition	540 s
total existing	3,916 s
total proposed	4,456 s
proposed coverage	3.87%

Townsend / Lauber
 46 Appletree Point Rd.
 scale: 1/4" = 10'

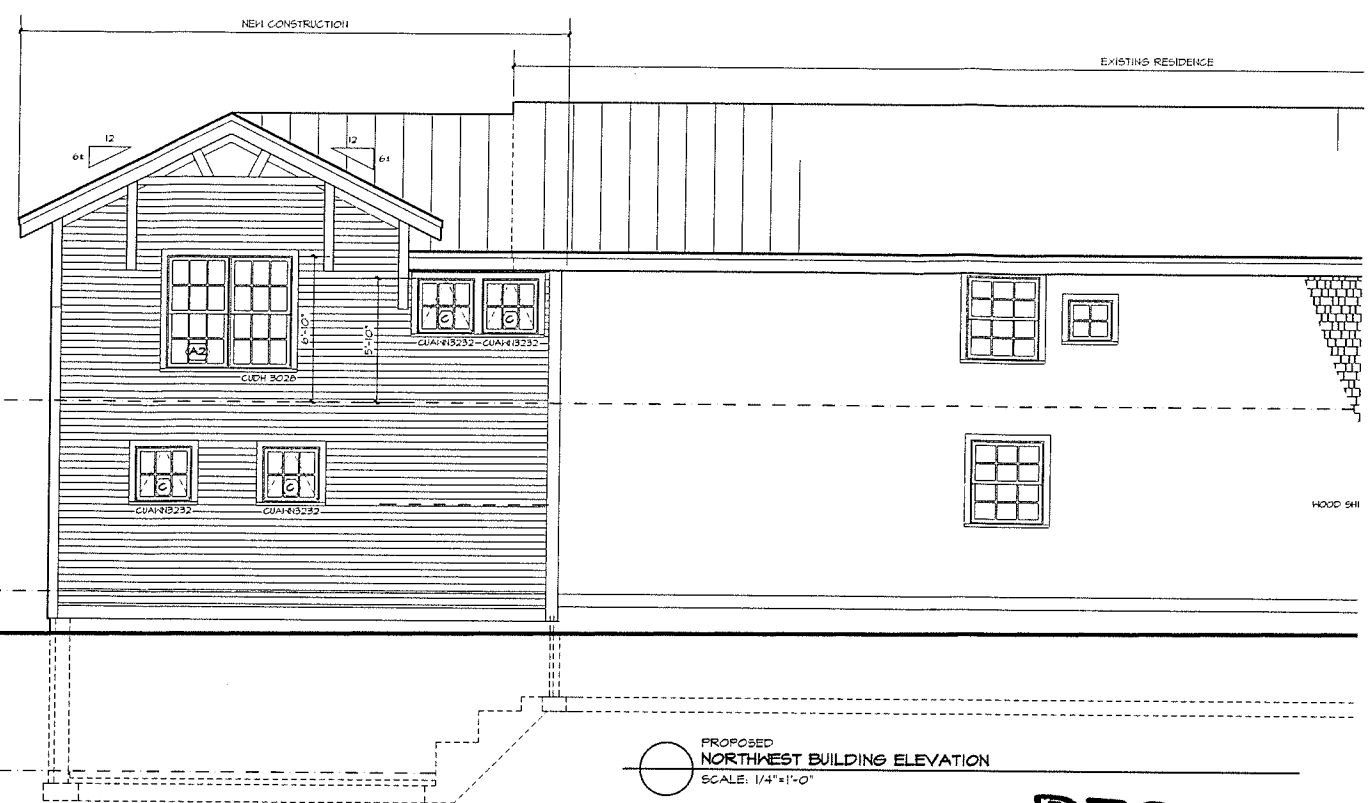


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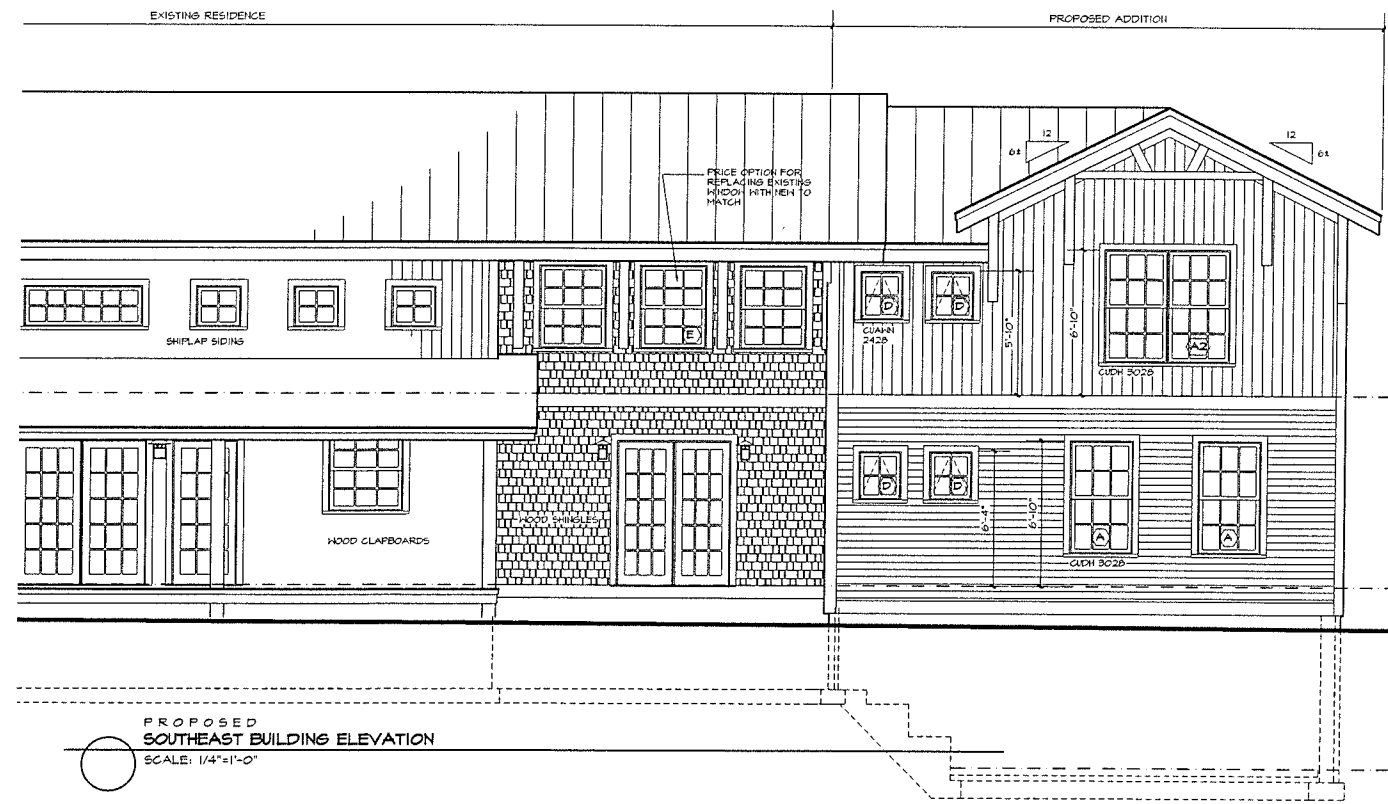
DEPARTMENT OF



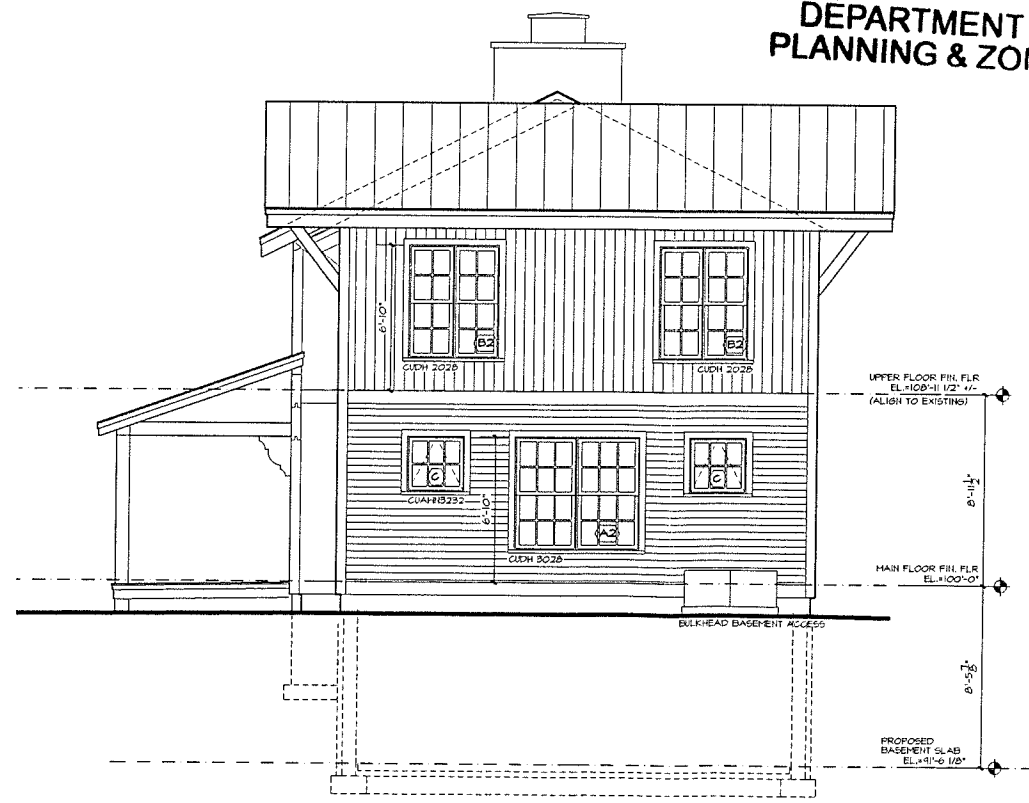
PROPOSED BUILDING SECTION AT STAIR
SCALE: 1/4"=1'-0"



PROPOSED NORTHWEST BUILDING ELEVATION
SCALE: 1/4"=1'-0"



PROPOSED SOUTHEAST BUILDING ELEVATION
SCALE: 1/4"=1'-0"



PROPOSED NORTHEAST BUILDING ELEVATION
SCALE: 1/4"=1'-0"

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REVISIONS	BY
△	
△	
△	

CHAD A. FORCIER
ARCHITECTURAL DESIGN

TOWNSEND LAUBER
STANFORD ROAD
BURLINGTON ■ VERMONT

PROPOSED
ELEVATIONS

Date 05.02.2019
Scale 1/4"=1'-0"
Drawn CAF
Job 1401
Sheet A3.1

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Brad Rabinowitz
AJ LaRosa
Vacant
Springer Harris
Geoff Hand
Alexandra Zipparo
Zoraya Hightower
Vacant, (Alternate)
Ravi Venkataraman, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday August 6th 2019, 5:00 PM Contois Auditorium, City Hall, 149 Church St, Burlington, VT AMENDED AGENDA

I. Agenda

II. Communications

III. Minutes

IV. Consent

1. 19-1010CA; 1 King Street (DW-PT, Ward 5S) The Spot LLC

Site modifications to accommodate vehicular and pedestrian traffic flow for ferry basin (Project Manager: Ryan Morrison)

2. 19-1026CA; 46 Appletree Point Road (RLW, Ward 4N) James Townsend & Renee Lauber

Addition to existing single family home. (Project Manager: Scott Gustin)

3. 17-1117CA/CU; 426 South Winooski Ave (RM, Ward 6S) Scott Mapes

Requesting time extension for demolish existing detached garage and replace with new detached garage with accessory dwelling unit. (Project Manager: Scott Gustin)

4. 20-0025SD; 1891-1893 North Ave (RL, Ward 4N) Thomas Mitchell

Re-applying 14-0747SD; subdivide 2 lots into 3; remove single family home construct two duplexes and one single family home (Project Manager: Scott Gustin)

V. Public Hearing

1. 19-1007CU; 1073 Pine St (RL, Ward 5S) Silvia Jope-Dalinghaus and Andrew Jope

Requesting 3 bedroom bed and breakfast; requesting a 3 space parking waiver (Project Manager: Ryan Morrison)

~~2. 20-0034CU; 39 Westward Dr (RL, Ward 7N) Christopher Liddle~~

~~Change of single family home to small daycare center (Project Manager: Scott Gustin)~~

Project has been withdrawn.

3. 19-1017CU; 186 South Willard Street (I, Ward 6S) Paul and Nancy Cotton

Change of use from single family home to three units within existing footprint. (Project Manager: Scott Gustin)

VI. Certificate of Appropriateness

1. 19-0655CA; 20-26 Church Street (FD6, Ward 3C) Gregory Chioffi Revocable Trust Agreement

Parking waiver request for changing 14 commercial units to 12-13 residential units. (Project Manager: Ryan Morrison)

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).
Printed on 100% Recycled Paper

VII. Adjournment

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 City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.



Ryan Morrison

From: Evans, Rob <Rob.Evans@vermont.gov>
Sent: Friday, July 12, 2019 8:08 AM
To: Ryan Morrison
Subject: RE: DEC - Floodplain Notification - 1 King Street - site modifications to accommodate vehicular and pedestrian traffic flow through the property to the new ferry basin

[WARNING]: External Message

Hi Ryan,

Given the very minor site changes associated with the above-referenced project, I have no comments or concerns with the project as it is consistent with the *reasonably safe from flooding* provisions in Burlington's flood hazard regulation.

This email serves as our commentary on the project in accordance with 24 VSA, 4424.

Thank you,

Rob Evans, CFM, State Floodplain Manager
River Corridor & Floodplain Protection Program
1 National Life Drive, Main 2
Montpelier, VT 05620-3522
802-490-6152 / rob.evans@vermont.gov
<http://dec.vermont.gov/watershed/rivers>
<http://floodready.vermont.gov/>
<http://floodtraining.vermont.gov/>



WATERSHED
MANAGEMENT DIVISION
RIVERS PROGRAM

From: Ryan Morrison <rmorrison@burlingtonvt.gov>
Sent: Tuesday, July 9, 2019 3:32 PM
To: Evans, Rob <Rob.Evans@vermont.gov>
Subject: FW: DEC - Floodplain Notification - 1 King Street - site modifications to accommodate vehicular and pedestrian traffic flow through the property to the new ferry basin

Hi Rob. Please see below. Thanks!

Ryan Morrison
Associate Planner
City of Burlington
802-865-7190

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

From: Ryan Morrison

Sent: Tuesday, July 09, 2019 3:29 PM

To: Rebecca.Pfeiffer@vermont.gov

Subject: DEC - Floodplain Notification - 1 King Street - site modifications to accommodate vehicular and pedestrian traffic flow through the property to the new ferry basin

Good afternoon Rebecca.

I am attaching a permit application for the above referenced project at 1 King St. This is scheduled for the August 6, 2019 DRB meeting.

This should satisfy our mandatory DEC notification requirement... I look forward to your comments, should you have any. Let me know if you need anything else.

Thanks Rebecca!! Take care

Ryan Morrison
Associate Planner
City of Burlington
802-865-7190

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

LAKE INDUSTRIES PROPERTY

Site Photos, April 21, 2019

*Refer to Project Plans, Sheet 1, for location and alignment of photos.
Lake elevation is 100.0' on this date.*



Photo #1



Photo #2

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Lake Industries Property
Site Photos, April 21, 2019
Page Two



Photo #3

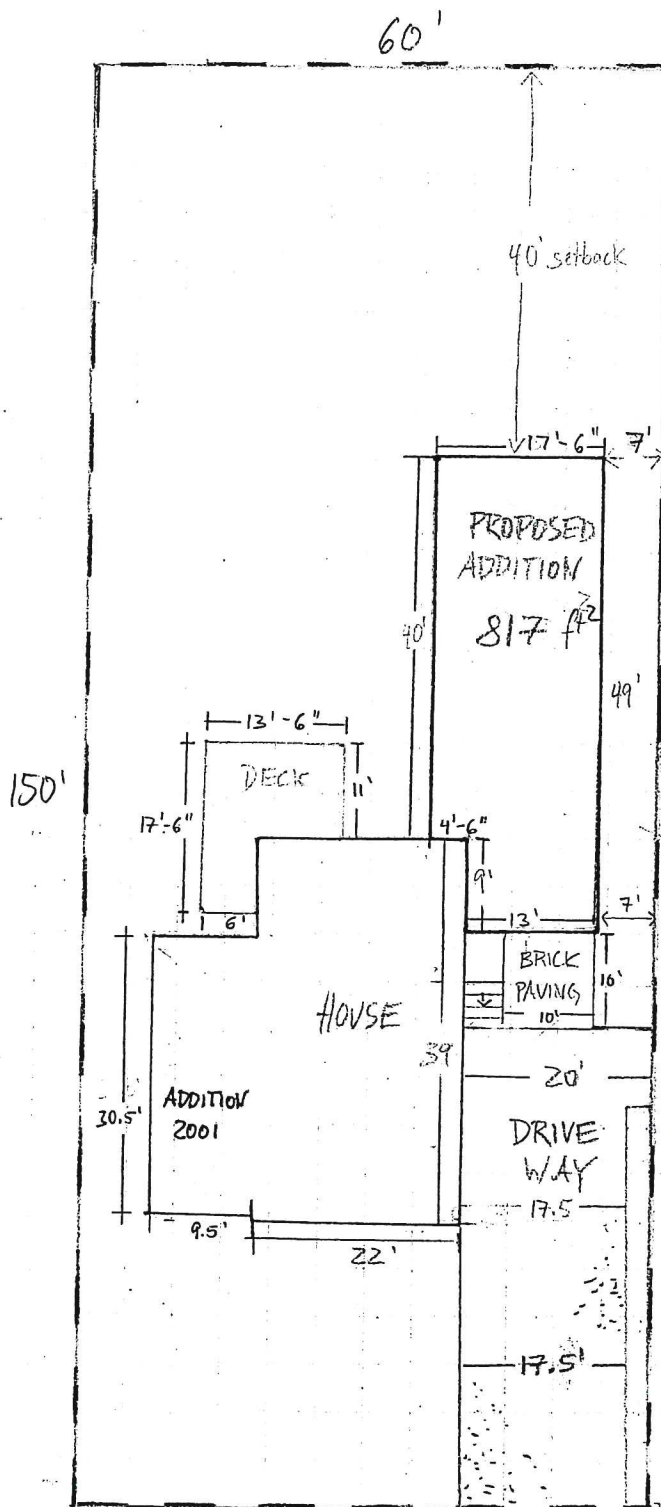


Photo #4

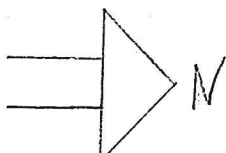
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PROPOSED ADDITION - SITE PLAN - 1073 PINE STREET



PINE STREET



ROUGHLY TO SCALE

5' =

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-- 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

SIGNED

[Signature]

DATE 3/9/05

PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

DIMENSIONAL REQUIREMENTS FOR PROPOSED ADDITION:

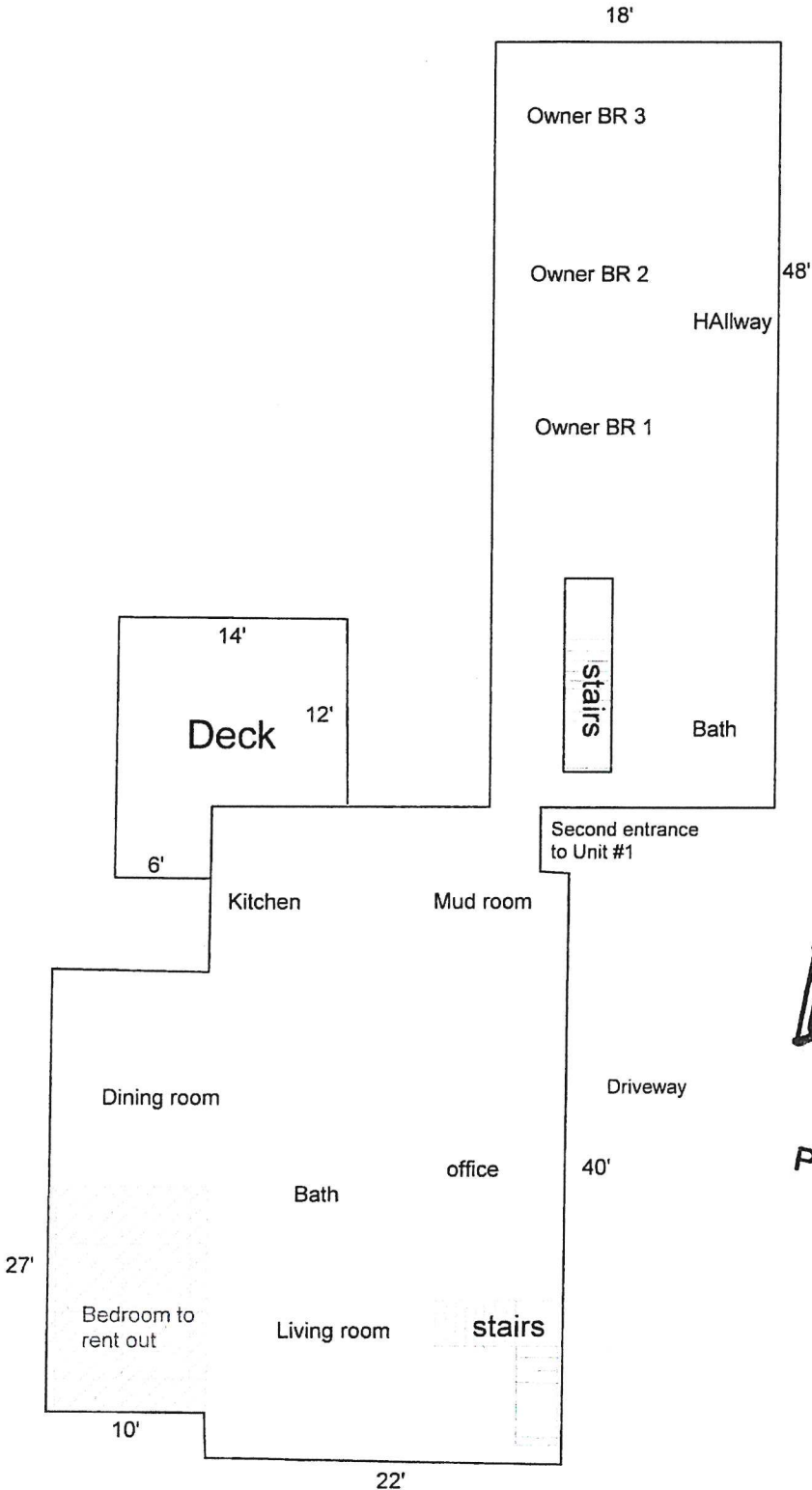
SETBACKS: SIDE: 10% = 6 ft
REAR: 25% = 40 ft
HEIGHT: 35 ft

Original House (39' x 22')	858
Addition 01 (30.5' x 9.5')	289
Deck	187
Reduced Driveway + Extra Strip	830
PROPOSED ADDITION	817
BRICK PAVING (10' x 10')	100

TOTAL PROPOSED COVERAGE 3081

LOT SIZE (150' x 60') = 9,000

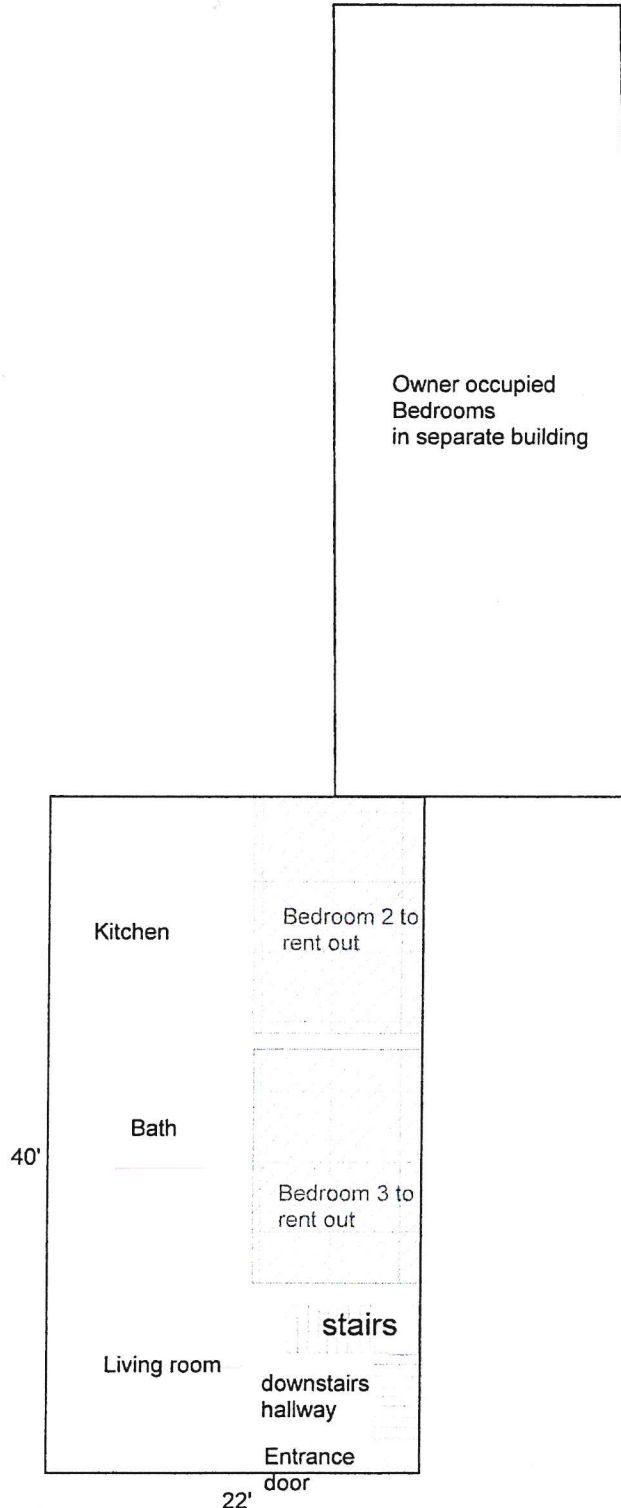
1073 Pine Street, Burlington VT
Floor Plan Unit #1
-not to scale-



Owner occupied Unit #1

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1073 Pine Street, Burlington VT
Floor Plan Unit #2
-not to scale-



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Andrew and Silvia Jope
1073 Pine St.
Burlington, VT 05401

July 29, 2019

Request for Parking Waiver for Short Term Rental (Air BnB) at 1073 Pine St.

To Whom It May Concern:

We are writing to request a Parking Waiver to accompany our application for a 3 Bedroom Short Term Rental (Air BnB) in our home at 1073 Pine St. In our conversation with Ryan Morrison, he informed us that, as our home is currently zoned as a duplex, parking is required at the rate of 2 spaces per unit (duplex equals 4 spaces) PLUS one space per rental room (3 in the current application) spaces. Thus, we are required to provide 7 off street parking spaces. In addition, per the city's parking ordinance, only 4 off-street spaces are permitted in our driveway (2 rows of tandem spaces). Thus, we are requesting a 3 space parking waiver for consideration by the DRB prior to our hearing on August 6th.

To provide some context, we thought it would be helpful to describe the current use of our home and how it relates to our parking needs. We purchased our home in 1997 as an owner-occupied duplex comprised of 2 units – the downstairs unit (Unit 1) in which our family of 4 resides, and the upstairs unit (Unit 2), a 2-bedroom unit which we rented to long-term tenants. Unit 2 provided 2 off-street parking spaces to our long-term tenants.

In the last year, when our long-term tenants in Unit 2 ended their lease agreement and decided to move out, we, in turn, decided to convert Unit 2 from a long-term rental in to a short-term rental to be listed through Air BnB. The new short-term rental is listed as 2 separate bedrooms on Air BnB. In addition, during that time, our oldest son moved out to attend college, and we also began listing his old bedroom as a 1-bedroom in our downstairs unit (Unit 1) through Air BnB. Thus, we changed the rental use of our house from a 2 bedroom unit available for long term rental into 3 separate bedrooms available for short-term rental through Air BnB, the application for which is currently under consideration. This amounts to a net gain of one bedroom under the current use.

While we understand the city's formula for determining the required number parking spaces, we believe that, in our case, the formula does not accurately capture the parking needs at our home. As mentioned previously, our driveway can accommodate up to 4 vehicles, with 2 of those parking spots reserved for our family. Thus, even when our short-term rentals are at full capacity, we require a total of 5 parking spaces – 3 for short term tenants and 2 for our family. That means that, at full capacity, we require one more parking space that our driveway can accommodate. In addition, we believe it should be noted that one of the short term rental units (in Unit 1), is only available while our son is away at college. In times when he is home (winter breaks, summer), this bedroom is not available for short term rental, and thus the parking requirements of all renters can be accommodated in our driveway. Thus, while we are currently applying for a Parking Waiver for a total of 7 parking spaces, it should be noted that we

anticipate, at maximum capacity, that we will require only 5 spaces, or one more than the driveway can accommodate.

Parking Management Plan

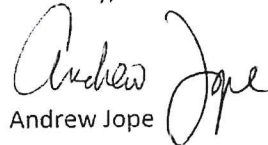
In cases when we are at full capacity and need to accommodate one more car than our driveway can accommodate, we propose the following Parking Management Plan:

Short-term tenants will be asked, as part of the instructions available in the Air BnB check-in process, to park on Pine St. directly in front of our home (1073 Pine St.). During times when off-street parking is not available (i.e parking ban), all short-term tenants will be directed to park in the driveway. If cars are tightly spaced, the driveway can accommodate 5 cars if necessary.

In addition, Air BnB postings all advertise the proximity of our unit to a GMT bus stop (directly across the street on Pine St.), as well as to shops, grocery stores, restaurants, and parks. It is our hope that this will encourage many of our short term guests to consider staying in Burlington without the use of a car. Indeed, many of our guests arrive through air travel or bus, it is possible for them to enjoy their time in Burlington without renting car. This is an appealing aspect of our Air BnB units that tends to attract like-minded guests.

We hope that this application clarifies the parking needs of our proposed short-term rental units, and defines an effective Parking Management Plan that meets the city's needs. As the city continues to develop policies to adapt to the proliferation of short-term Air BnB units, it is our full intention to be transparent in our practices as short-term landlords and responsible in our management of those units as to be considerate of our neighbors and compliant with current and future regulations. We welcome feedback and concerns throughout this process and look forward to meeting with you on August 6.

Sincerely,


Andrew Jope


Silvia Jope

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MAR 14 2019

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per

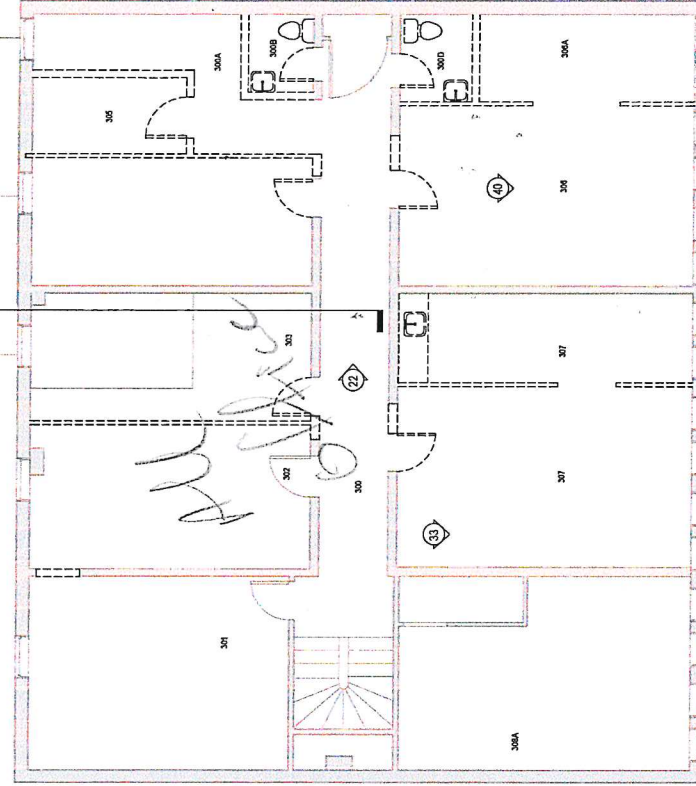
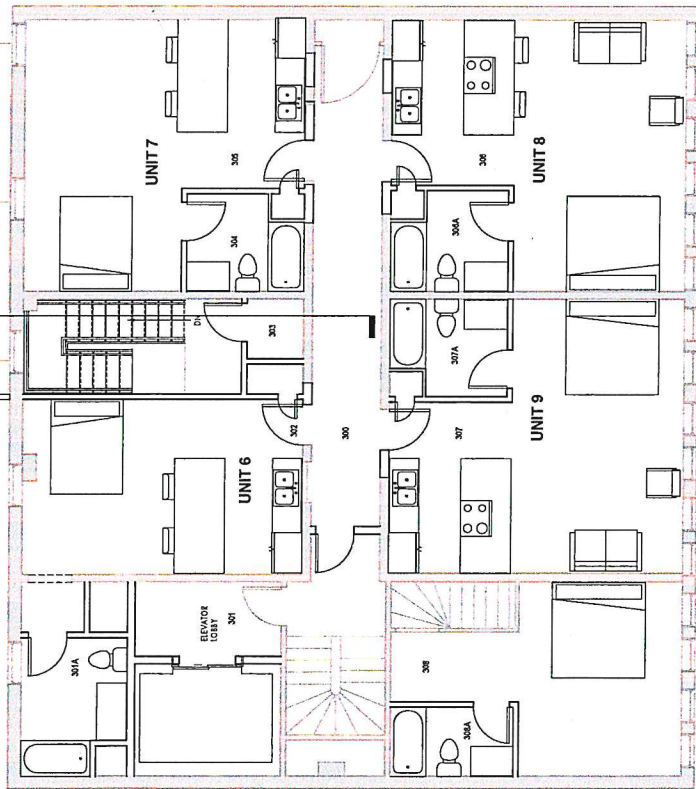


PHOTO KEY SHOWING DIRECTION
DRAWING WALLS
EXISTING WALL
NEW WALL
WALL TO BE REMOVED

1 Level 3
SCALE: 1/4" = 1'-0"

2 Demo Level 3
SCALE: 1/4" = 1'-0"

17-190 55

BACON'S BLOCK

20-26 CHURCH STREET, BURLINGTON, VT



DATE: 01/24/17	LEVEL 3
SCALE: 1/4" = 1'-0"	Author
DRAWN BY: Author	Author
CHECKED BY: Author	Author
PHASE:	A.13



Parking Management Plan

To: Ryan Morrison
Regarding: 20-26 Church Street Parking Waiver
Date: 07/29/19

Enclosed is the Parking Management Plan for 20-26 Church Street. This is an adaptive reuse project within a nationally registered historical downtown building. Currently the existing building has 1st floor mercantile space and 2nd and 3rd business occupancy with a total of 14 (6 on 2nd 8 on 3rd) available office spaces, of which only 3 are rented on the 2nd floor. The third floor is unoccupied and intends to remain unoccupied as there is not a second means of egress from the 3rd floor. The proposed renovation of the 2nd and 3rd floors will create a total of **12 new dwelling units**. Our current permit application is to obtain a change of use from business to residential and we are asking a 100% parking waiver based on the City's Comprehensive Development Ordinance as described below:

Sec. 8.1.15 Waivers from Parking Requirements/ Parking Management Plans

"The total number of parking spaces required pursuant to this Article may be reduced to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this Article and the goals of the municipal development plan to reduce dependence on the single-passenger automobile.

Any waiver granted shall not exceed fifty percent (50%) of the required number of parking spaces except for the adaptive reuse of a historic building pursuant to Sec. 5.4.8 and ground floor retail uses in any Mixed Use district which may be waived by as much as one hundred percent (100%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a)7.

In order to be considered for a waiver, the applicant shall submit a Parking Management Plan that specifies why the parking requirements of Sec. 8.1.8 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this Article. A Parking Management Plan shall include, but not be limited to:"

Below is the outlined requirements of the Parking Management Plan

(a) A calculation of the parking spaces required pursuant to Table 8.1.8-1.

Existing Parking Calculation

Parking District: Downtown

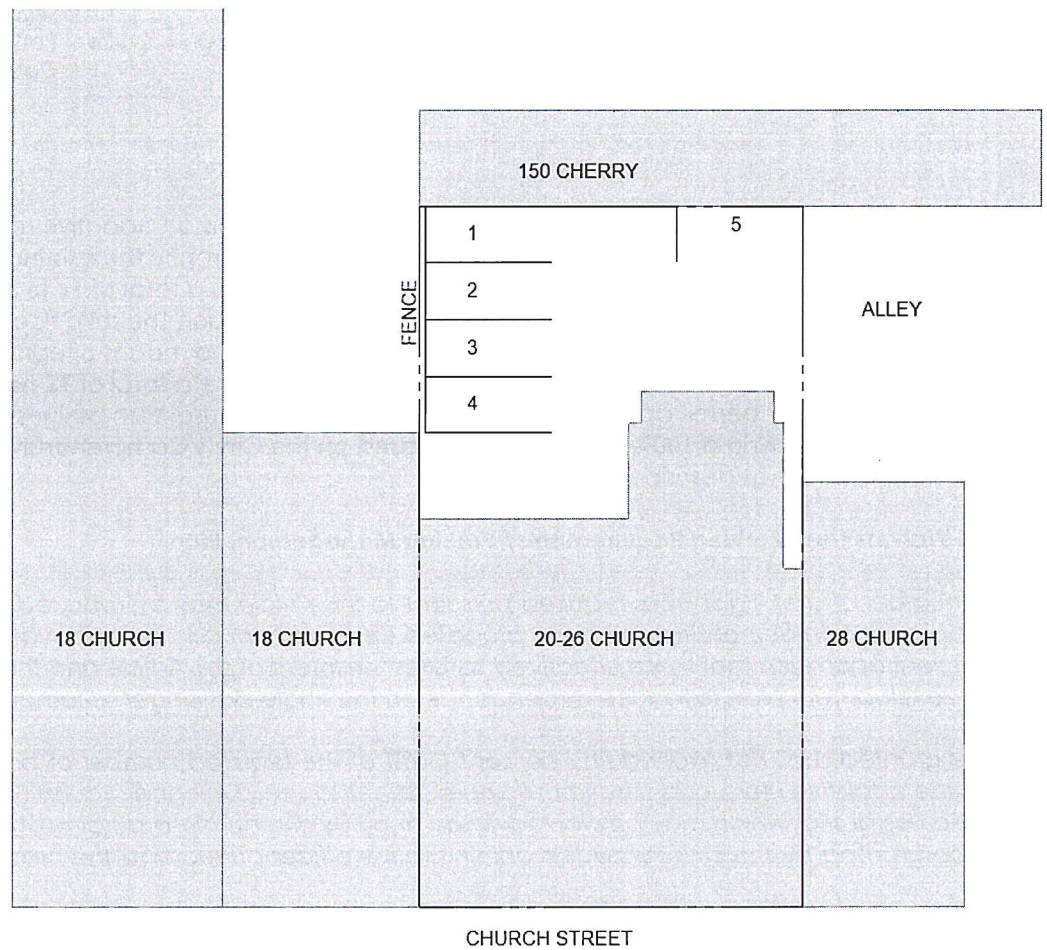
Mercantile: none

Business: 2 spaces per office

Requirement: 28 spaces

Current parking: 5 spaces (located behind building in accessed through alley.) 2 spaces are dedicated and in the lease of current mercantile spaces. None are available to the businesses on the 2nd floor.

HINGE



Existing site plan with parking

Proposed Parking Calculation

Parking District: Downtown

Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit: 1 space per unit

Mercantile: none

Requirement: 12 spaces

Proposed parking: 100% waiver of parking spaces in order to have future flexibility in developing the entire site as allowed in the Ordinance.

HINGE

(b) A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this Article and the goals of the Municipal Development Plan. Tandem Normal Stacked Article 8: Parking Article Last Updated: March 31, 2016 Comprehensive Development Ordinance p. 8-15 City of Burlington, VT

This parcel is located in the FD6 - Downtown Core zoning district on Church Street, where in-fill development and maximizing development is highly encouraged through our ordinance. Currently the City has a high need for housing and this building will be an ideal location for increasing the available work/live apartments within the downtown core. This location lessens the need for individual car use on a daily basis for those working in the downtown, and is easily accessible to public transit for those working outside of the downtown core.

(c) An analysis of the anticipated parking demand for the proposed development. Such an analysis shall include, but is not limited to:

- 1. Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;*

2 of the 5 existing spaces are part of the merchantable lease, however no parking spaces are required for this type of occupancy. Deliveries for the current retail space happen on Church street at the allowed times of day and within the alleyway behind the building if necessary. The current number of employees within the retail shop is variable depending on the tenant and time of year. Currently only 3 office spaces occupied on the 2nd floor. The demand for parking will remain the same for any use as the location is within the downtown core, where individual car use is not necessary, nor encouraged given the easy walk/bike-ability, access to public transit and car share options.

- 2. Anticipated parking demand by time of day and/or demand by use;*

Currently no parking is provided for the business use on the 2nd and 3rd floors. Workers and visitors to all businesses located in this building access them just like any other business in the downtown core; by walking, biking, public transit or if driving using the parking on the street or parking garages. The change of use will not change this demand as there is the same options available to those who will rent the apartments.

- 3. Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;*

Currently the parking is not utilized fully by any current tenant and moving forward we don't anticipate the current retail space needing parking as it is not a requirement to the ordinance. There is adequate parking available on street or within parking garages, as well as bike parking short and long term on the street and within the parking garage.

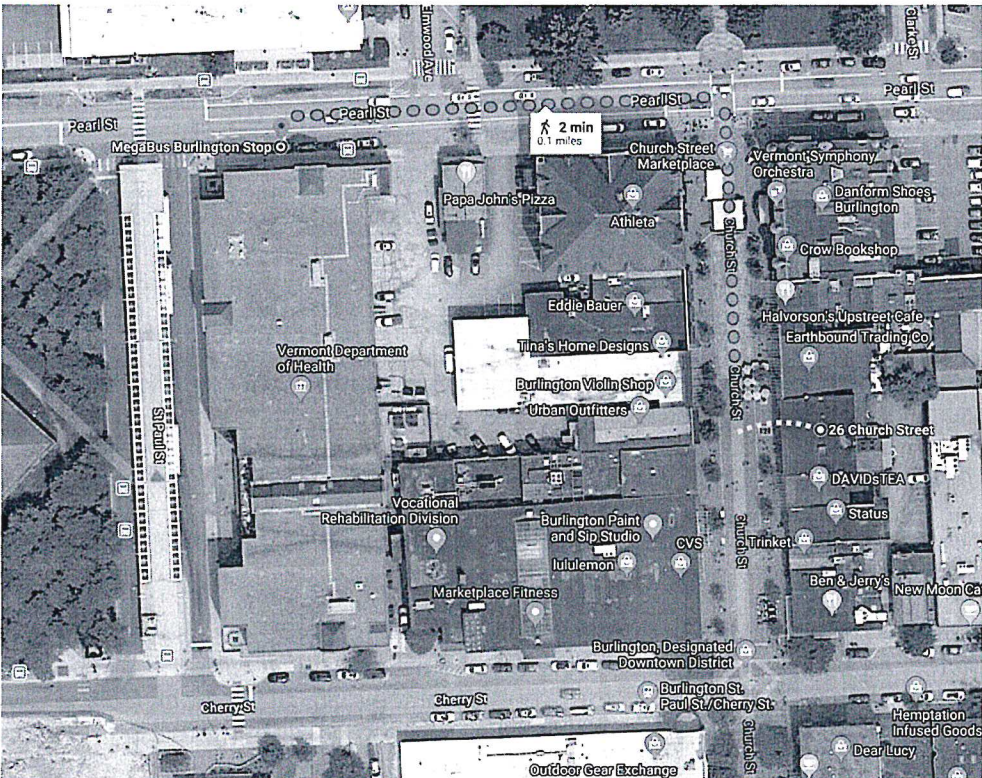
- 4. Availability and frequency of public transit service within a distance of 800- feet. The transit center is located*

The front door is 528 feet from the CCTA transit center, which has buses departing ever 15-30 minutes throughout Chittenden County and beyond. It is also the same distance to the Megabus stop, which provides transit outside of the state of Vermont. Carshare Vermont also has a car located 240 feet from the front door which provides shared individual use transit.

HINGE

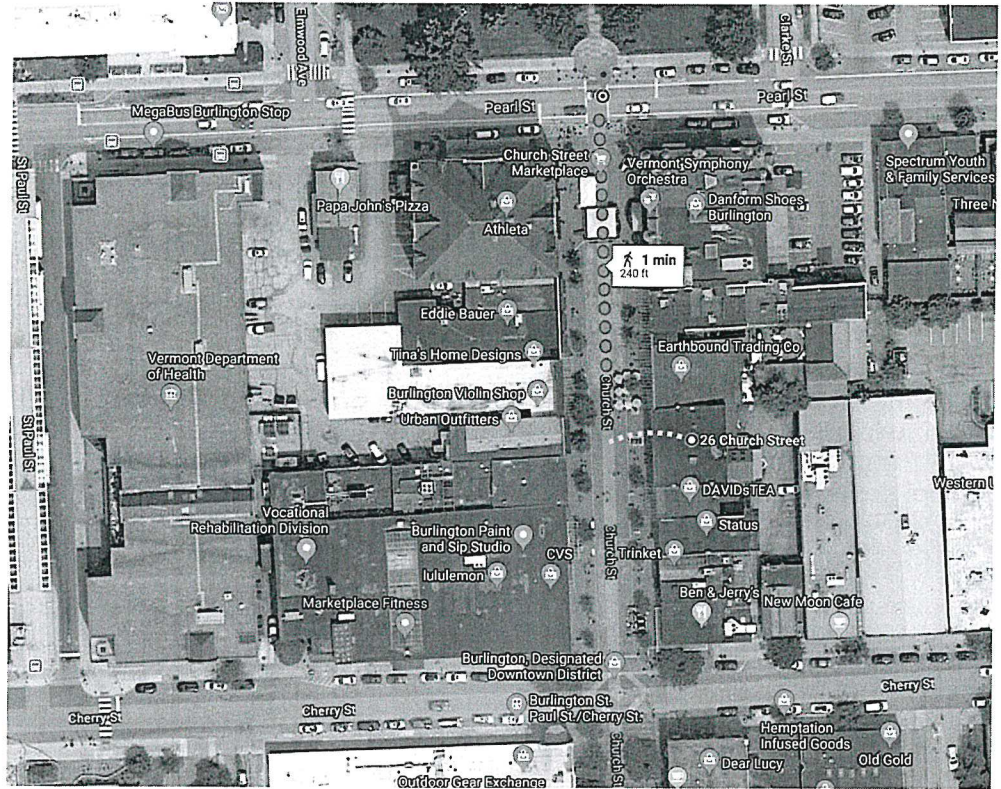


Distance to CCTA



Distance to Megabus

HINGE



Distance to Carshare VT



Distance to Parking Garage 524 feet (rentable spaces, long term bike storage)

HINGE

5. A reduction in vehicle ownership in connection with housing occupancy, ownership, or type; and,

There are 3 different modes of transit available within .10 miles of this building which encourages shared vehicle use and / or public transportation for all the tenants of within the building. By providing a 100% waiver allows the owner to have the potential to develop the entirety of the site in the future, which is encouraged within the downtown core.

(d) Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:

This project is located in the downtown core where 100% site development is allowed / encouraged. The location is ideal for increasing work/live dwelling units within the downtown core as it is walkable and there are 3 different modes of transit available within .10 miles of this building and if individual car use is needed, long term parking is available in the garage .10 miles away. By providing a 100% waiver allows the owner to have the potential to develop the entirety of the site in the future, which is encouraged within the downtown core.

END OF MEMORANDUM

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 7 Page 13

Church Street Historic District
Burlington, Chittenden County, Vermont

Description (continued)

possibly granite, and a bracketed cornice. Below the second floor windows were a defined sign band and two storefronts with striped cloth awnings. The shape of the storefronts is very similar to what exists today. By the late 1870s, grocery stores, one of which was run by George W. Kelley, were located on the shop level. In 1891, Kelley and his wife purchased the building where they had worked for almost twenty years, remaining until 1910 (Burlington Land Records, Vol. 31, pg. 148; Vol. 58, pg. 506). By 1912, the Casino Theater, featuring motion pictures, occupied the south shop.⁸ From 1910 to 1969 the property was owned by the Southwick family (Vol. 194, pg. 370-384). In the 1920s, the south end was divided into two smaller shops and, together with the one-bay infill section, the block housed four businesses. Offices and apartments were rented above the stores. This pattern continued for the next several decades. By 1978, the south side was returned to one storefront, for a total of three stores. Currently the first floor is divided into two stores, housing the Crow Bookshop on the north side and Halverson's Restaurant on the south. The interior of the Crow Bookshop reveals the building's original six and one-bay construction.

At the rear of the property is a semi-detached carriage barn built before 1869, when it first appears on the Sanborn Fire Insurance map.⁹ It is a one-and-a-half story brick, gable-front structure. Unfortunately, because of the density of the structures surrounding it, the barn is only partially visible from a narrow pathway that winds around the back of the buildings along Cherry Street. The upper section of a gable end visible here contains a centered window, with wood lintel and sill, and original two-over-two wood sash. This carriage barn and the remaining half of the carriage barn attached to 150 Cherry Street (#10) were associated with houses formerly located on these properties. They constitute the only remaining examples of carriage houses within the district.

#3 20-26 Church Street (Bacon's Block), 1874, Contributing

One of the most striking buildings on Church Street, this three-story, high-style Italianate commercial block was built in 1874 for Nelson Bacon, a local developer. A wood frame and brick veneer building with an ornately carved wood street facade, it has a strong horizontal orientation. Each of the building's three stories contains a heavy entablature and piers carved to resemble stone quoins. Sixteen two-over-two double hung sash windows, arranged in eight pairs, dominate each of the upper two stories. The windows within each pair are separated by a carved engaged column, which serves as a springing point for a wood panel that spans the width above each pair. Each panel has regularly spaced circular medallions, one centered above the window pair and one to each side of the flanking piers. Window tops are slightly arched. The paired

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National Register of Historic Places Continuation Sheet

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Church Street Historic District
Burlington, Chittenden County, Vermont

Description (continued)

windows are separated by nine quoined piers that extend up to each level's entablature. The piers have curved brackets uniting them with the cornice. The frieze above the third story windows features fluted ogee brackets in line with the piers below. Between each bracket the frieze is ornamented with centered circular medallions within flanking open rectangular frames. Above the frieze is a two-tier cornice, joined at the end brackets by a prismatic block.

The wood elements were originally given a sand paint finish to give the illusion of stone. The most recent painting did not include sand, lending the façade more of a cast iron appearance. The first floor storefronts have been somewhat altered, with the addition of brick surrounding the shop windows. However, the original arrangement of three door openings and several of the carved wood piers remain on the ground story. An accurate restoration of the original storefront would be possible in the future because there are excellent historic photographs of the façade.

Designed by Burlington architect E. C. Ryer, the building was constructed under the direction of John Clure and the property owner, Nelson Bacon. E. W. Chase, a Burlington builder, carved the wood elements of the facade, and Eusebe Chase painted the first faux-stone finish. At the time of its construction, this was the sixteenth building constructed by Bacon in the seventeen years he had lived in Burlington. When completed, the *Daily Free Press* declared that "the edifice is universally acknowledged to be an ornament to the city...."¹⁰ The first occupants included Mr. M. V. B. Weeks, dealer in boots and shoes; a fancy goods store run by "two ladies from Brooklyn, New York;" a dry goods and grocery firm; Mrs. A. P. Burns' "hairworm and jewelry, etc.;" and significantly, a suite and darkroom for L. A. Atwood, a noted local photographer. Portions of the second and third floors were fitted out as family apartments, with gas, running water and water closets. The first floor is now occupied by the Olympia sporting goods store, with the upper floors a mix of shops and apartments. Currently, the façade's two upper stories remain intact, including the original window sash.

#4 28 Church Street (Commercial Building), c. 1875, facade 1955, Contributing

A three-story, three-bay, wood frame commercial building with a stone foundation, it has International Style white enameled metal panel siding on the façade and is one of only a few wood frame commercial buildings remaining within the district. The facade dates to 1955 and is a good example of post World War II architectural trends. The enamel panels angle out from the cornice, suggesting that the original bracketed cornice exists behind them. Windows are symmetrically arranged one-over-one aluminum sash, with those of the second story shorter and wider than those of the third. Granite sills date to the first period of construction, and original lintels may be

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William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



TO: Development Review Board
FROM: Ryan Morrison
DATE: August 6, 2019
RE: 19-1010CA; 1 King 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: DW-PT Ward: 3C/5S

Owner/Applicant: Lake Champlain Transportation Company

Request: Permit site modifications to accommodate vehicular and pedestrian traffic flow through the property to the new ferry basin.

Applicable Regulations:

Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

Background Information:

The applicant is seeking approval to modify the ferry basin site to accommodate vehicular and pedestrian traffic throughout the site. Modifications include converting existing impervious surfaces to lawn areas, and creating new walkways/vehicular surfaces from both existing impervious surfaces and greenspace.

The property sits within the Special Flood Hazard Area. This location triggers review under the SFHA criteria of Sec. 4.5.4. Project plans have been provided to the state floodplain coordinator. The State Floodplain Coordinator stated that he has no comment or concern with the project as it is consistent with the *reasonably safe from flooding* provisions in Burlington's flood hazard regulations.

Previous zoning actions for this property:

- 12/4/18, Approval for the relocation of 2 loading ramps
- 11/7/18, Approval for after the fact paving of gravel areas
- 10/5/17, Approval for replacement fuel tank and islands for dispensers
- 5/23/17, Approval for renovations to restaurant
- 3/7/16, Approval for replacement ticket booth
- 4/27/12, Approval for Lake Monsters Team Headquarters sign
- 6/10/11, Non-app issued for post-flood damage repairs
- 11/30/09, Approval for trussed gable roof
- 2/19/08, Approval for conversion of retail to office space
- 2/17/05, Approval for roof renovations

- 4/13/04, Approval to install ticket window
- 5/27/03, Approval for sur pac and parking lot lighting installation
- 2/21/03, Approval to replace existing restaurant building with larger restaurant building (not acted upon)
- 2/22/01, Approval for Maritime Museum sign
- 2/22/01, Approval to change use to museum
- 8/18/00, Approval to install an interpretative marker
- 5/1/00, Approval to change portion of retail space to creemee stand
- 6/3/99, Approval to amend prior approval for 5 finger docks with marine gas float
- 2/18/99, Approval to install 5 finger docks
- 10/10/95, Approval to install vertical metal siding on maintenance shed
- 10/29/93, Approval for construction of a 20' X 20' storage structure
- 4/9/92, Approval to construct HC accessible bathroom with ramp
- 5/9/91, Approval to construct new structure containing freezer and refrigeration units

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

I. Findings

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts

(a) Purpose

(4) Downtown Waterfront – Public Trust District (DW-PT)

The subject property is located in the Downtown Waterfront – Public Trust (DW-PT) District. This district is intended to enhance and diversify commercial and residential development in the downtown waterfront area, and to increase access, utilization, and enjoyment of the lakeshore by the community. The ferry company is consistent with this intent. **(Affirmative finding)**

(b) Dimensional Standards & Density

Dimensional standards are largely unaffected by this project. After the new and the removed impervious surfaces are complete, there will be an increase of 65 sf of impervious surface (which will maintain the existing 88.2% of lot coverage). Up to 100% lot coverage is permissible.

(Affirmative finding)

(c) Permitted & Conditional Uses

See (d) 1 below.

(d) District Specific Regulations

1. Use Restrictions

A. Permitted Uses: North of Main Street
(Not applicable)

B. Permitted Uses: Maple to Main Street

Only the following uses are permitted within that portion of the Downtown Waterfront – Public Trust District located north of the centerline of Maple Street extended north to the centerline of Main Street extended:

(i) Facilities for transporting pedestrians and vehicles upon Lake Champlain by ferry and cruise vessels, including necessary docks, wharfs, maintenance facilities, administrative offices, gift shops, snack bars and related parking facilities...

The ferry company is a permitted use within the Maple to Main Street section of the DW-PT zoning district. **(Affirmative finding)**

C. Other Regulations in Effect
(Not applicable)

2. Public Trust Restrictions

The subject property is located within that area of the DW-PT: Maple to Main Street. The ferry company is a permitted use and will remain unchanged. **(Affirmative finding)**

3. Facades and Setbacks on Side and Rear Property Lines
(Not applicable)

4. Lake Champlain Waterfront Setbacks

A. Additions to Existing Structures
(Not applicable)

B. Averaging of Setbacks
(Not applicable)

C. Permitted Encroachments

The DRB may approve one or more of the following within the required waterfront setback: structures such as walkways, planters, benches, fountains, public art, sitting walls and other improvements which will enhance the pedestrian environment and enjoyment of the waterfront; and public marinas, public recreational piers, ferry docks, lake excursion facilities, and open-air markets, provided pedestrian circulation is not unreasonably impaired.

The proposal is to modify the existing site with new/revised walkways and vehicular travel-ways, all in an effort to simplify vehicular and pedestrian traffic to and from the ferry docks. **(Affirmative finding)**

5. Development Bonuses/Additional Allowances
(Not applicable)

Sec. 4.5.4, Natural Resource Protection Overlay District:

Almost the entire site is located within the Special Flood Hazard Area (at or below the 102' elevation). As a result, the following criteria apply.

(f) District Specific Regulations: Special Flood Hazard Area
(7) Special Review Criteria

A. The danger to life and property...

The modifications/creation of walkways and vehicular travel-ways will have no effect on flood heights or velocities. **(Affirmative finding)**

B. The danger that material may be swept onto other lands...

The site work is in little danger of being swept away during times of flooding. **(Affirmative finding)**

C. The proposed water supply and sanitation systems...

No changes to water and sewer systems are proposed. **(Affirmative finding)**

D. The susceptibility of the proposed facility and its contents to flood damage...

Given its low elevation adjacent to the lakeshore, the property has been flooded a number of times. The proposed modifications will have no bearing on the susceptibility to flooding. **(Affirmative finding)**

E. The importance of the services provided...

No new use is proposed. The ferry company will remain. As noted above, the ferry company is consistent with the intent of this DW-PT district. **(Affirmative finding)**

F. The availability of alternative locations...

As noted above, no new use is proposed. The ferry company is logically located along the lakeshore. **(Affirmative finding)**

G. The compatibility of the proposed use with existing development...

As previously noted, the ferry company is consistent with the intent of the DW-PT zone. **(Affirmative finding)**

H. The relationship of the proposed use to the Municipal Development Plan...

No new use is proposed. The ferry company use strengthens the working waterfront and contributes to the vitality of the downtown waterfront called for in PlanBTV: Downtown and Waterfront. **(Affirmative finding)**

I. The safety of access to the property...

While almost the entire property is within the Special Flood Hazard Area, access to it remains accessible from King Street during flood events. No changes in access are proposed. **(Affirmative finding)**

J. The expected heights, velocity, duration, rate of rise...

The maximum regulatory flood elevation along the lakeshore is 102' above sea level. The velocity of flood waters along the lakeshore is not problematic. Water is more or less stationary as it rises and falls. The duration of flooding and the rate of its rise depend entirely on spring snowmelt and precipitation events. The lake has risen above 102' just once on record (spring 2011). Sediment transport is insubstantial. Sediment transport is associated with moving waterways such as rivers. The proposal will have no impact on flood height, velocity, duration, rate of rise, or sediment transport. **(Affirmative finding)**

K. Conformance with all other applicable requirements...

See Articles 4, 5, 6, and 8 of these findings.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Article 4 above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable in the DW-PT zone.

Sec. 5.2.5, Setbacks

See Article 4 above.

Sec. 5.2.6, Building Height Limits

See Article 4 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Article 4 above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

Not applicable. The applicant states that there will be no need for new lighting fixtures as the boats will only operate during daylight hours.

Sec. 5.5.3, Stormwater and Erosion Control

The applicant has submitted an Erosion Prevention and Sediment Control (EPSC) Plan to the City's Stormwater Program Manager, which was approved on July 10, 2019. **(Affirmative finding)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

(Not applicable)

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

a) Protection of Important Natural Features

The subject property is located along the Lake Champlain shoreline. Almost the entire site is affected by the Natural Resource Protection Overlay District, specifically the special flood hazard area. As required, an EPSC plan was submitted and approved by the Stormwater Program Manager. **(Affirmative finding)**

b) Topographical Alterations

Not applicable. Work will occur at-grade.

c) Protection of Important Public Views

Not applicable.

d) Protection of Important Cultural Resources

Not applicable.

e) Supporting the Use of Renewable Energy Resources

Not applicable.

f) Brownfield Sites

Not applicable.

g) Provide for Nature's Events

See Sec. 5.5.3.

h) Building Location and Orientation

Not applicable

i) Vehicular Access

Not applicable.

j) Pedestrian Access

Not applicable.

k) Accessibility for the Handicapped

Not applicable.

l) Parking and Circulation

The intent of the project is to make internal circulation easier throughout the site.

(Affirmative finding)

m) Landscaping and Fences

Not applicable.

n) Public Plazas and Open Space

Not applicable.

o) Outdoor Lighting

See Sec. 5.5.2.

p) Integrate Infrastructure into the Design

Not applicable.

Part 3, Architectural Design Standards

(Not applicable)

Article 8: Parking

The project will result in the loss of 5 parking spaces, particularly the east-west row next to the 'Proposed Island' at the southern end of the Marine Storage, Transportation, Sanding & Painting building. After the most recent zoning permit approval to relocate two ferry ramps (ZP 19-0416CA), the total parking count was reduced to 143 parking spaces, and this project will reduce onsite parking to 138 spaces. Based on the parking requirements of Table 8.1.1-1 – Minimum Off-Street Parking Requirements, only 44 spaces are required onsite. The applicant has provided a list of the existing uses on the property, and the gross floor areas to calculate the parking requirement. Uses include a restaurant, office space, storage/warehousing, workshops, and a small amount of retail. **(Affirmative finding)**

II. Conditions of Approval

1. **Prior to the issuance of a final Certificate of Occupancy**, all areas noted as 'Existing Impervious Surface to be Removed' shall be top soiled and planted with grass as proposed, or used as a landscape area.
2. The site modifications shall be reasonably safe from flooding and be:
 - A. Designed and adequately anchored to prevent flotation, collapse, or lateral movement during the occurrence of the base flood;
 - B. Constructed of materials resistant to flood damage;
 - C. Constructed by methods and practices that minimize flood damage; and
 - D. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
3. The Applicant/Property Owner is responsible for obtaining all necessary state and federal permits.
4. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.
5. Standard permit conditions 1-15.

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Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

To: Development Review Board
From: Ryan Morrison, Associate Planner
Date: August 6, 2019
RE: 19-1007CU; 1073 Pine 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: ZP19-1007CU

Location: 1073 Pine Street

Zone: RL **Ward:** 5S

Date application accepted: June 20, 2019

Owner / Applicant: Silvia & Andrew Jope

Parking District: Neighborhood

Request: The applicant seeks approval to rent three bedrooms in the existing duplex as bed and breakfast short term rental rooms. The applicant also seeks a two space parking waiver.



Applicable Regulations:

Appendix A (Use Table – All Zoning Districts), Article 2 (Administrative Mechanisms), Article 3 (Applications, Permits, and Project Reviews), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 8 (Parking)

Background:

- **Zoning Permit 00-444**; construction of a rear deck for the existing duplex. Approved 4/11/00.
- **Zoning Permit 01-329**; single story addition to the existing duplex, and remove a portion of the driveway. Approved 3/5/01.
- **Zoning Permit 05-418CA**; remove 2 car garage and portion of existing driveway to be replaced with 2 story addition. Approved 3/9/05.

Overview:

The applicant proposes three bed and breakfast rooms (short term rentals) within the existing duplex. Two of the B&B rooms will occupy the 2-bedroom apartment (Unit 2), and the third B&B room will be located in Unit 1, a four bedroom apartment occupied by the owners/applicants. The building was constructed in 1957. Similar requests, albeit to rent out ADUs as short term rentals, were approved by the DRB in 2017 and 2019 on RL zoned properties (Chase Street and South Crest Drive). Because many of the zoning requirements for ADUs and B&Bs are the same (i.e. parking, owner occupancy, etc.), this dual use is becoming more common in Burlington. In this case, the two bedroom unit (Unit 2) already requires two parking spaces. By utilizing the 2 bedrooms in Unit 2 as short term rentals, the two parking space requirement is the same.

Recommendation: Conditional Use Approval, per the following findings and conditions:

I. Findings

Appendix A: Use Table – All Zoning Districts

Bed and Breakfast (B&B) is a Conditional Use in the RL zoning district. Footnotes 4 & 6 of Appendix A apply to bed and breakfasts. Footnote #4 states: *“No more than 5 rooms permitted to be let in any district where bed and breakfast is a conditional use. No more than 3 rooms permitted to be let in the RL district.”* Footnote #6 states: *“Must be owner-occupied.”* The applicant proposes to rent out up to three B&B rooms within the duplex – 2 rooms in Unit 2, and 1 room in Unit 1. The owners currently reside on the property in Unit 1. As required, this proposal is subject to conditional use review. **Affirmative finding.**

Article 2: Administrative Mechanisms

Part 7, Enforcement:

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. There have been no violation notices placed on the property. There are, however, two zoning permits (ZP00-444 & ZP01-329) that have not been closed out. **Affirmative finding as conditioned**

Article 3: Applications, Permits and Project Reviews

Part 5: Conditional Use and Major Impact Review

Section 3.5.6 Review Criteria

(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 each of the following general standards:

1. *Existing or planned public utilities, facilities, or services are capable of supporting the proposed use in addition to the existing uses in the area;*

The proposal will have minimal impact on public utilities, facilities and services. **Affirmative finding as conditioned.**

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 property is within an established residential neighborhood and a residential zoning district. The Residential Low Density (RL) zoning district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes. B&Bs have the potential for up to 3 rooms in the underlying zoning district. The proposal should result in little to no change in traffic and circulation impacts. The B&B use is accessory to the owner occupied duplex, which is consistent with the intent of the zoning district. **Affirmative finding.**

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

No greater impacts are anticipated than other residential uses in the area. **Affirmative finding.**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation, safety for all modes; and adequate transportation demand management strategies;*

This parcel is located at the southern end of Pine Street, a residentially developed section of the street. The driveway provides adequate space to accommodate 4 parking spaces. It is expected that the 3 B&B rooms will generate 1 additional vehicle when all are fully occupied. With the 2-bedroom Unit 2 proposed for use as 2 B&B rooms, the driveway parking accommodation can satisfy all but 1 parking space for the overall proposal. There are transit stops within walking distance along Pine Street (one is directly across the street from the subject property). Sidewalks exist on both sides of Pine Street. The proposal is not expected to create adverse impacts on the existing transportation system, should the DRB approve the parking waiver request. **Affirmative finding if the parking waiver is approved.**

5. *The utilization of renewable energy resources;*

Nothing within the application prevents the use of wind, solar, water, geothermal or other renewable energy resource. **Affirmative finding.**
and;

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

The applicant will have to ensure compliance with state regulations regarding short-term B&B type rentals, including but not limited to payment of required rooms and meals taxes. **Affirmative finding as conditioned.**

(c) Conditions of Approval

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. *Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area;*

Not applicable. No changes to the site are proposed.

2. *Time limits for construction.*

Not applicable. No construction is proposed.

3. *Hours of operation and/or construction to reduce the impact on surrounding properties.*

It is recommended that guest check-ins be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisances. **Affirmative finding as conditioned.**

4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions,*

Should the applicant wish to alter the use, such alteration will require review and permitting under regulations in effect at that time. It should be noted that no additional rooms can be permitted to be used as a B&B use since the underlying zone sets a 3-room limitation on B&B uses.

Affirmative finding as conditioned.

and

5. *Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

None identified.

Article 4: Zoning Maps and Districts

Section 4.4.5 Residential Districts

(a) Purpose

1. *The Residential Low Density (RL) district is intended primarily for low-density residential development in the form of single detached dwellings and duplexes. The district is typically characterized by a compact and cohesive residential development pattern reflective of the respective neighborhood's development history.*

The 2-bedroom unit (Unit 2) within the duplex, and one room in Unit 1, will be used as B&B short term rentals, which is a conditional use within the RL zoning district. **Affirmative finding.**

(b) Dimensional Standards and Density

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.5-1 Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W.

Duplex and above, RL Minimum 60' frontage, RL Minimum 10,000 sq ft lot size.

1073 Pine Street is a 9,000 sf lot, with 60 feet of frontage. Because the property is less than the 10,000 sf minimum size for a duplex, the duplex use is considered a legally existing, noncompliant use. **Affirmative finding.**

Table 4.4.5-2 Base Residential Density

Not applicable per Section 5.4.5 (a) below.

Table 4.4.5-3 Residential District Dimensional Standards

Not applicable. No site or building changes are proposed.

(c) Permitted and Conditional Uses

Up to 3 B&B rooms are allowed as a conditional use in the RL zoning district, per Appendix A.

Affirmative finding.

(d) District Specific Regulations

1. Setbacks

A. Encroachment for residential driveways

Not applicable.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

Not applicable.

3. Lot Coverage

A. Exceptions for Accessory Residential Features

Not applicable.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

A. Additional Unit to multi-family

Not applicable.

B. Additions to Existing Residential Structures

Not applicable.

C. Residential Occupancy Limits

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.

The residential occupancy provisions of the ordinance apply to both units in the duplex.

Affirmative finding.

6. Uses

A. Exception for Existing Neighborhood Commercial Uses

Not applicable.

7. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations

Nothing within the application suggests non-compliance with applicable nuisance regulations and performance standards per the requirement of the Burlington Code of Ordinances. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

New lighting is not proposed. **Not applicable.**

Section 5.5.3 Stormwater and Erosion Control

Not applicable.

Section 5.5.4 Tree Removal

Not applicable.

Article 8: Parking

Table 8.1.8-1 Minimum Off-Street Parking Requirements

Duplexes require 2 parking spaces per unit in the Neighborhood Parking District. B&Bs require one parking space per room. In combination, a total of 5 parking spaces will be required – 2 for the owner-occupied unit + 1 for the short term rental room, and 2 more for the 2-room short term rental. The driveway provides parking for no more than 4 parking spaces. However, tandem spaces cannot be considered for more than one short term rental room. The driveway, in this instance, can cater to 2 tandem spaces for the property owners, and technically 1 adjacent space for one of the rental rooms, even though there is room for 2 rows of tandem parking. As a result, the applicant is requesting a 2 space parking waiver. See below. **Affirmative finding if the parking waiver is approved.**

Section 8.1.15 Waivers from Parking Requirements/Parking Management Plans

The applicant submitted a narrative explaining why 5 parking spaces are not necessary for the use of the property. Technically, we can count 2 tandem spaces for the owner-occupied unit, and 1 space for the short term rental room, even though there is room in the driveway for a total of 4 spaces. This leaves a parking shortage of 2 spaces.

The applicant adds that Unit 1 (the applicant's residence), has four bedrooms, and only one of those would be available as a B&B room at times when their son is away at college, and unavailable when their son is home.

The parking management plan notes that the property is close to a GMT bus stop, as well as shops, grocery stores, restaurants and parks.

The applicant concludes that at maximum capacity, only 5 spaces would be needed: two spaces for Unit 2 (at either time of long term duplex unit rental or individual short term room rentals); two spaces for Unit 1; and 1 space for the B&B room within Unit 1. The applicant should be prepared to report back to the Planning & Zoning Department each year for 3 years as to the actual onsite parking demand. **Affirmative finding if the parking waiver is approved.**

II. Conditions of Approval

1. Per **Section 2.7.8, Withhold Permit**, all zoning permits issued after July 13, 1989 must be closed out (issued a Certificate of Occupancy) prior to issuance of a Final Certificate of Occupancy for this permit. See attached permit list. Upon expiration

of this new zoning permit, no additional zoning permits may be issued until it, and all prior zoning permits, have been closed out with final certificate(s) of occupancy. It is recommended that certificates of occupancy for the old zoning permits be sought prior to seeking a certificate of occupancy for the new zoning permit.

2. The subject property must be, and remain, owner occupied as long as the bed and breakfast short term rental use remains in operation.
3. It is recommended that guest check-ins be limited to 7:00 am – 10:00 pm to minimize noise, traffic, and neighborhood nuisance.
4. All guest parking shall be on-site and off-street.
5. A 2-space parking waiver is included in this approval. The applicant shall report back to the Department of Permits & Inspections each year for three years to define the efficacy of the parking waiver.
6. The applicant will have to ensure compliance with state regulations regarding short-term B&B type rentals, including but not limited to payment of required rooms and meals taxes and compliance with Division of Fire Safety standards and Health Department standards.
7. Any additional B&B room, or physical alteration, will require a new zoning permit, subject to regulations in effect at the time of permit application submittal.
8. The applicant/property owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state as required.
9. Standard Permit Conditions 1-15.

Department of Permitting & Inspections

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

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Ted Miles, Zoning Specialist
Charlene Orton, Permitting & Inspections Administrator



MEMORANDUM

To: Development Review Board
From: Ryan Morrison, Associate Planner
Date: August 6, 2019
RE: ZP19-0655CA, 20-26 Church 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: ZP19-0655CA
Location: 20-26 Church Street
Zone: FD6 **Ward:** 3C
Date application accepted: March 14, 2019
Owner: Gregory T. Chioffi Revocable Trust Agreement
Parking District: Downtown
Request: A 12-space parking waiver for 12 residential units in an existing building.

Applicable Regulations:
Article 8 (Parking)

Background Information:

The applicant requests a 12-space parking waiver for the proposed change in use from retail and office space on the second and third floors of the building to twelve apartments. The three-story building, known as 'Bacon's Block', was built in 1874 and is a contributing structure in the Church Street Historic District – National Historic Register. The first floor contains all retail establishments (Earthbound Trading Company and Little Citizen). The second floor contains a mix of existing retail/service space and office space. The third floor is noted to be unoccupied, but the applicant has confirmed that the most recent use was office space across the whole floor.

The parking management plan notes that there are 5 parking spaces behind the building, 2 of which are dedicated and in the lease of the current mercantile spaces, and the other 3 spaces are not specifically dedicated to any one user in the building. The applicant does note that none of these spaces are available to the businesses on the second floor. The parking requirement analysis is provided in Article 8 below.

In accordance with Sec. 14.3.4 (H) – Use Type, 'Attached Dwellings' is a permitted use in the underlying zone. The Development Review Board's review on this application is limited to just the parking waiver request.

Zoning Permit History:

- **Zoning Permit 94-166;** installation of 2 nonilluminated signs – one projecting and one parallel. Approved 10/5/93.
- **Zoning Permit 94-414;** installation of 2 nonilluminated signs. Approved 5/17/94.

- **Zoning Permit 95-054**; installation of a nonilluminated parallel sign. Approved 8/9/94.
- **Zoning Permit 95-520**; installation of flags along retail store frontage. Approved 6/27/95.
- **Zoning Permit 98-299**; storefront renovations to the existing retail space. Approved 1/22/98.
- **Zoning Permit 98-345**; install three externally illuminated parallel signs for the existing retail space. Approved 2/24/98.
- **Zoning Permit 98-606**; installation of a handrail at each entrance door for handicapped access. Approved 6/22/98.
- **Zoning Permit 01-211**; installation of 3 externally illuminated parallel signs for the retail store. Approved 10/24/00.
- **Zoning Permit 04-117**; install a fence around the parking lot behind the building. Approved 9/3/03.
- **Zoning Permit 10-0817SN**; install one parallel sign for the Vermont Gem Lab. Approved 4/19/10.
- **Zoning Permit 10-0824SN**; install one circular projecting sign on second floor of building. Approved 4/27/10.
- **Zoning Permit 12-0502CA**; change of use from retail to restaurant. Approved 11/1/11.
- **Zoning Permit 12-0848SN**; install new parallel sign for Earthbound Trading Company. Approved 3/29/12.
- **Zoning Permit 15-0615SN**; new projecting sign for Mana Threads in the upstairs mall. Approved 12/1/14.
- **Zoning Permit 15-0622SN**; three new signs for Little Citizen. Approved 11/21/14.

Recommendation: Certificate of Appropriateness Approval, as per, and subject to, the following findings and conditions:

I. Findings

Article 8: Parking

Table 8.1.8-1 Minimum Off Street Parking Requirements

Table 8.1.8-1 Minimum Off-Street Parking Requirements	
	Downtown Districts
RESIDENTIAL USES	Per Dwelling Unit except as noted
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	1
NON-RESIDENTIAL USES	Per 1,000 square feet of gross floor area (gfa) except as noted
General Merchandise/Retail	None
Office - General	2

The property is within the Downtown Parking District. The second floor totals 3,198 sf. Within this space is 1,238 sf of retail space, and 1,960 sf of office space. Based on Table 8.1.8-1 above, the office space on this floor can be credited with 3.92 (4) parking spaces. Because retail space has no parking requirement, no parking credits apply.

The most recent uses on the third floor were offices, a 2,700 sf area. Based on that footprint, 5.4 (5) parking spaces can be credited toward the proposed change of use.

In total, twelve residential units require twelve parking spaces. And based on the previous office uses in the second and third floors, a credit of 9 spaces can be applied to the change of use, thus resulting in a 3 space shortage. However, the applicant is requesting a parking waiver for up to 12 spaces to accommodate the 12 new apartments, but the waiver should reflect what the parking shortage actually will be – 3 spaces. **Affirmative finding if the DRB approves the parking waiver request.**

Section 8.1.15 Waivers from Parking Requirements / Parking Management Plans

The total number of parking spaces required pursuant to this Article may be reduced to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this Article and the goals of the municipal development plan to reduce dependence on the single-passenger automobile.

Any waiver granted shall not exceed fifty percent (50%) of the required number of parking spaces except for the adaptive reuse of a historic building pursuant to Sec. 5.4.8 and ground floor retail uses in any Mixed Use district which may be waived by as much as one hundred percent (100%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a) 7.

The Bacon's Block building is listed as a contributing structure on a National Historic Register (Church Street Historic District).

The applicant has submitted a parking management plan to address the required parking shortage, and they seek a 100% parking waiver to accommodate what they argue is an 'adaptive reuse' of the building. In short, they are requesting a 12 space waiver *'in order to have future flexibility in developing the entire site as allowed in the Ordinance.'* While the 'Bacon's Block' building is listed as a contributing structure on a National Historic Register (Church Street Historic District), this adaptive reuse provision only applies to structures in residential zoning districts, of which the subject property is not in. Therefore, only a waiver of up to 50% can be permitted. In this case, 12 spaces are required for the 12 residential units, and there is a credit of 9 spaces per the previous uses, leaving 3 spaces to be accounted for. This would represent a 25% parking waiver.

Interestingly, as noted above there are five parking spaces located behind the building, two of which are dedicated to the 1st floor retail space(s). As of the preparation of this report, the status, or reserved use, of the other three parking spaces is unknown to staff. It may be appropriate to count those other three spaces toward the three space shortage for the new apartments.

However, in the applicant's case for a full 12-space waiver, a parking management plan has been submitted. It notes that the property is located in an area where in-fill development and maximizing development is highly encouraged, and that there is a high need for housing. The

location lessens the need for individual car use on a daily basis for those working in the downtown, and is easily accessible to public transit for those working outside of the downtown core.

While the applicant is requesting a 12 space parking waiver, the previous office uses provide 9 parking space credits, and as a result, only a 3 space parking waiver is required. As with any change of use, parking demand and availability needs to be assessed each time. And if a future change of use that creates additional parking requirements is sought, the applicant at that time may request a parking waiver to address the parking need.

The applicant should be prepared to report back to the Planning & Zoning Department each year for 3 years as to the actual onsite parking demand. **Affirmative finding if the DRB approves the parking waiver request.**

II. Conditions of Approval

1. A 3-space parking waiver is included in this approval. The applicant shall report back to the Planning & Zoning Department each year for three years to define the efficacy of the parking waiver.
2. Standard Permit Conditions 1-15.



City of Burlington
Planning & Zoning
As Built Approval

Date 7/27/18 ZP # 17-117CA

Address 426 So. Winward Ave.

ZA Officer Kevin Dwyer



City of Burlington
Planning & Zoning
As Built Approval

Date 7/27/18 ZP # 17-1117 CA/cu

Address 426 So. Winoski Ave.

ZA Officer Aaron Davis





City of Burlington
Planning & Zoning
As Built Approval

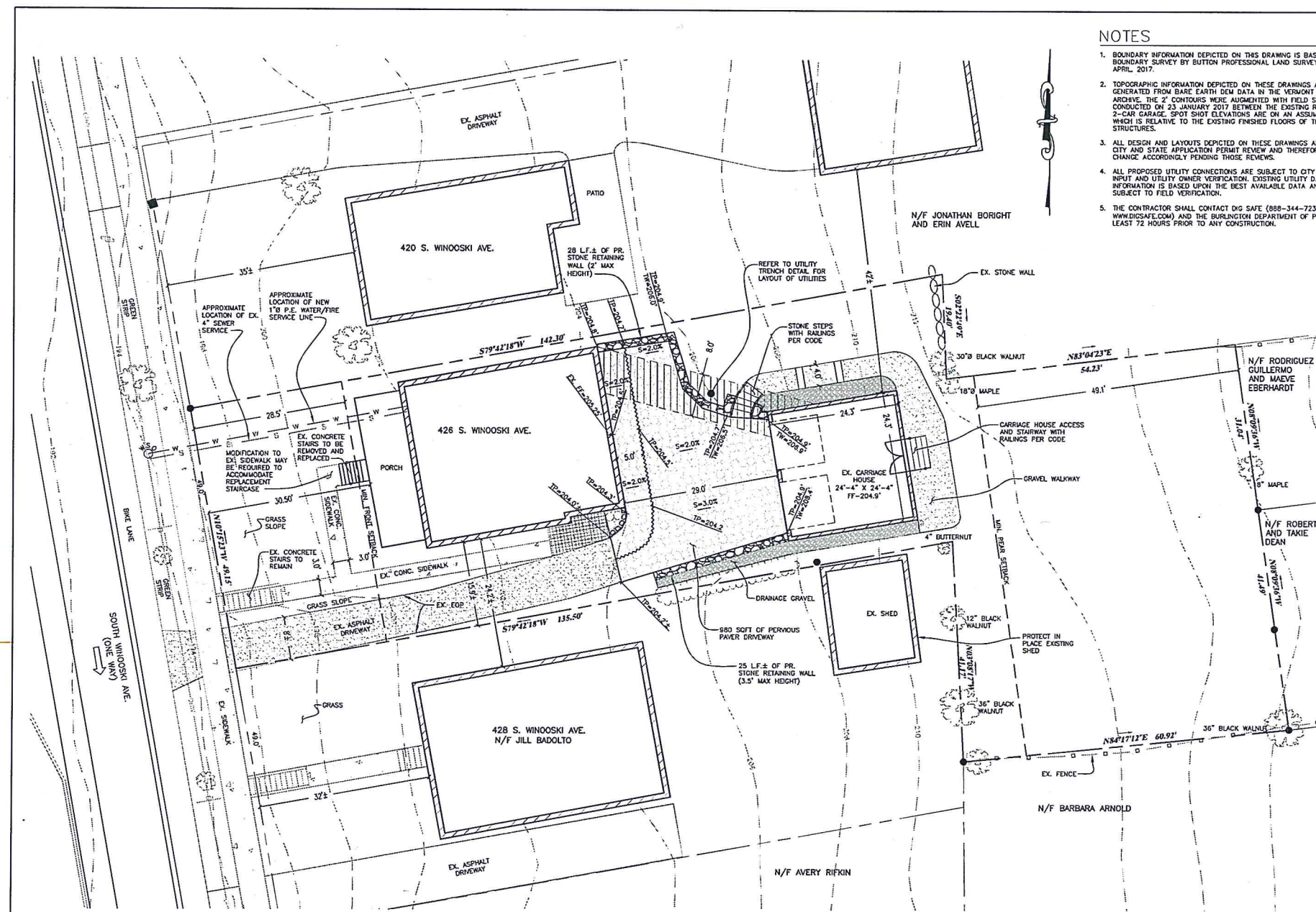
Date 7/22/18 ZP # 17-1117 CR

Address 426 So. Winslow Ave.

ZA Officer Leonora

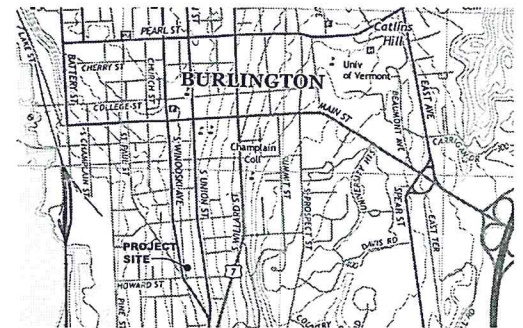


DEPARTMENT OF
PLANNING & ZONING



NOTES

1. BOUNDARY INFORMATION DEPICTED ON THIS DRAWING IS BASED UPON A BOUNDARY SURVEY BY BUTTON PROFESSIONAL LAND SURVEYORS DATED 17 APRIL 2017.
2. TOPOGRAPHIC INFORMATION DEPICTED ON THESE DRAWINGS ARE 2' CONTOURS GENERATED FROM BARE EARTH DEM DATA IN THE VERMONT LIDAR INITIATIVE ARCHIVE. THE 2' CONTOURS WERE AUGMENTED WITH FIELD SURVEY DATA CONDUCTED ON 23 JANUARY 2017 BETWEEN THE EXISTING RESIDENCE AND 2-CAR GARAGE. SPOT SHOT ELEVATIONS ARE ON AN ASSUMED DATUM, WHICH IS RELATIVE TO THE EXISTING FINISHED FLOORS OF THE EXISTING STRUCTURES.
3. ALL DESIGN AND LAYOUTS DEPICTED ON THESE DRAWINGS ARE SUBJECT TO CITY AND STATE APPLICATION PERMIT REVIEW AND THEREFORE SUBJECT TO CHANGE ACCORDINGLY PENDING THOSE REVIEWS.
4. ALL PROPOSED UTILITY CONNECTIONS ARE SUBJECT TO CITY REVIEW AND INPUT AND UTILITY OWNER VERIFICATION. EXISTING UTILITY DATA AND INFORMATION IS BASED UPON THE BEST AVAILABLE DATA AND ALL ARE SUBJECT TO FIELD VERIFICATION.
5. THE CONTRACTOR SHALL CONTACT DIG SAFE (888-344-7233 OR WWW.DIGSAFE.COM) AND THE BURLINGTON DEPARTMENT OF PUBLIC WORKS AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION.



SITE LOCATION MAP
N.T.S.

ZONING

OWNERS: STEPHANIE AND SCOTT MICHAEL MAPES

SUBJECT RECONSTRUCTION: THE PROPOSED PROJECT CONSISTS OF THE DEMOLITION OF AN EXISTING 24'-4" BY 24'-4" SINGLE STORY TWO CAR GARAGE, CONSTRUCTION OF A PROPOSED 24'-4" BY 24'-4" TWO STORY STRUCTURE CONSISTING OF A TWO CAR GARAGE WITH A SECOND LEVEL ACCESSORY DWELLING WITHIN THE SAME FOOTPRINT. ADDITIONAL PROPOSED IMPROVEMENTS INCLUDE ACCESS STAIRS AND SIDEWALKS. THE RECONSTRUCTION OF 980 SQFT OF EXISTING DRIVEWAY, AND RECONSTRUCTION OF THE CONCRETE STAIRS TO THE EXISTING RESIDENCE. THE EXISTING SINGLE FAMILY RESIDENCE (426 S. WINOOSKI AVE) TO REMAIN UNALTERED.

LOT COVERAGE CALCULATION

ZONING DISTRICT: RESIDENTIAL MEDIUM DENSITY (RM)

ALLOWABLE COVERAGE = 40% (60% WITH BONUS)

SUBJECT PROPERTY = 0.2465 ACRES = 10,824.66 SQFT

PRIMARY AND ACCESSORY STRUCTURE AREA

EXISTING PRINCIPAL STRUCTURE:

GROSS AREA = 3,362 SQFT

FINISHED HABITABLE AREA = 2,392 SQFT

EXISTING 2-CAR GARAGE:

GROSS AREA = 592 SQFT

FINISHED HABITABLE AREA = 0

PROPOSED 2-CAR GARAGE / ACCESSORY DWELLING:

GROSS AREA = 1,194 SQFT (18% OF PRINCIPAL STRUCTURE + ACCESSORY DWELLING UNIT GROSS AREA)

FINISHED HABITABLE AREA = 592 SQFT (20% OF PRINCIPAL STRUCTURE + ACCESSORY DWELLING FINISHED AREA)

COVERAGE

RESIDENCE/PORCH/STAIRS 1,426 SQFT 1,426 SQFT

GARAGE / ACCESSORY DWELLING 592 SQFT 592 SQFT

DECKS/STAIRS (GARAGE / ACCESSORY DWELLING) 0 SQFT 116 SQFT

DRIVE 1,574 SQFT 588 SQFT

WALKWAYS 338 SQFT 532 SQFT

TOTAL IMPERVIOUS 3,930 SQFT 3,254 SQFT

% COVERAGE (TOTAL IMPERVIOUS / LOT SIZE) 36.3% 30.0%

MINIMUM SETBACKS (REQUIREMENTS)

FRONT SETBACK: 5'± OF AVERAGE OF 2 ADJOINING PROPERTIES

SIDE: 10' OR 5'

REAR: 25' OR 20'

SETBACK REQUIRED EXISTING PROPOSED

FRONT 33.5' (45') 30.5'± 30.5'±

SIDE 4.9' (10X) 2.0' (HOUSE) 2.0' (HOUSE)

REAR 49.1' (25X) 5.4' (GARAGE) 5.4' (GARAGE/ACCESSORY DWELLING)

STREET FRONTAGE REQUIRED PROVIDED

30' 49'

OFF-STREET PARKING REQUIREMENTS

SINGLE FAMILY RESIDENCE = 2 SPACES

ACCESSORY DWELLING = 1 SPACE

TOTAL REQUIRED = 3 SPACES

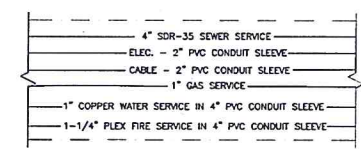
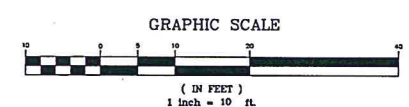
PROVIDED = 3 SPACES (2 CAR GARAGE PLUS 1 DRIVEWAY PARKING SPACE)

LEGEND

PROPOSED	EXISTING	
---	---	2' CONTOURS
---	---	EDGE OF PAVEMENT
---	---	SUBJECT PROPERTY LINE
---	---	ABUTTER PROPERTY LINE
---	---	SETBACK
---	---	GRADE BREAK / FLOWLINE
---	---	GRAVITY SEWER
---	---	GAS LINE
---	---	WATER LINE
---	---	OVERHEAD UTILITY
---	---	UTILITY TRENCH
---	---	PAVER DRIVEWAY
---	---	SIDEWALK/CONCRETE
---	---	CURB
---	---	UTILITY POLE
---	---	TREE
---	---	CLEANOUT
---	---	PARKING METER
---	---	WATER VALVE
---	---	GAS VALVE
---	---	WATER SHUT OFF
---	---	ELECTRIC PEDESTAL
---	---	GRADE SPOT ELEVATION

LIST OF ABBREVIATIONS

BC	BOTTOM OF CURB
CB	CATCH BASIN
CUP	CORRUGATED METAL PIPE
CONC	CONCRETE
EOP	EDGE OF PAVEMENT
EX	EXISTING
FL	FINISHED FLOOR
FL	FLOW LINE
GAL	GALVANIZED
GS	GRADE SPOT ELEVATION
H	HORIZONTAL
I.E.	INVERT ELEVATION
L.F.	LINEAR FEET
L.F.	LINEAR FEET
MAX	MAXIMUM
MIN	MINIMUM
PR	PROPOSED
S	SLOPE
SOFT	SQUARE FEET
TC	TOP OF CURB
TP	TOP OF PAVERS
TW	TOP OF WALL



UTILITY TRENCH DETAIL
N.T.S.

City of Burlington
Planning & Zoning
As Built Approval
Date 7/27/18 ZP # 17-1117CA/CH
Address 426 So. Winooski Ave.
ZA Officer Scott Michael Mapes

This document is prepared as an instrument of service and shall remain the property of Scott Michael Mapes (SMM). It may not be used, reproduced, disseminated or transferred in any manner, including but not limited to photographically, electronically or digitally, for any other purpose than for this project for this client, without the written permission of SMM.

FILENAME: 601170180_CVLBASE.DWG

426 S. WINOOSKI AVE - SITE PLAN

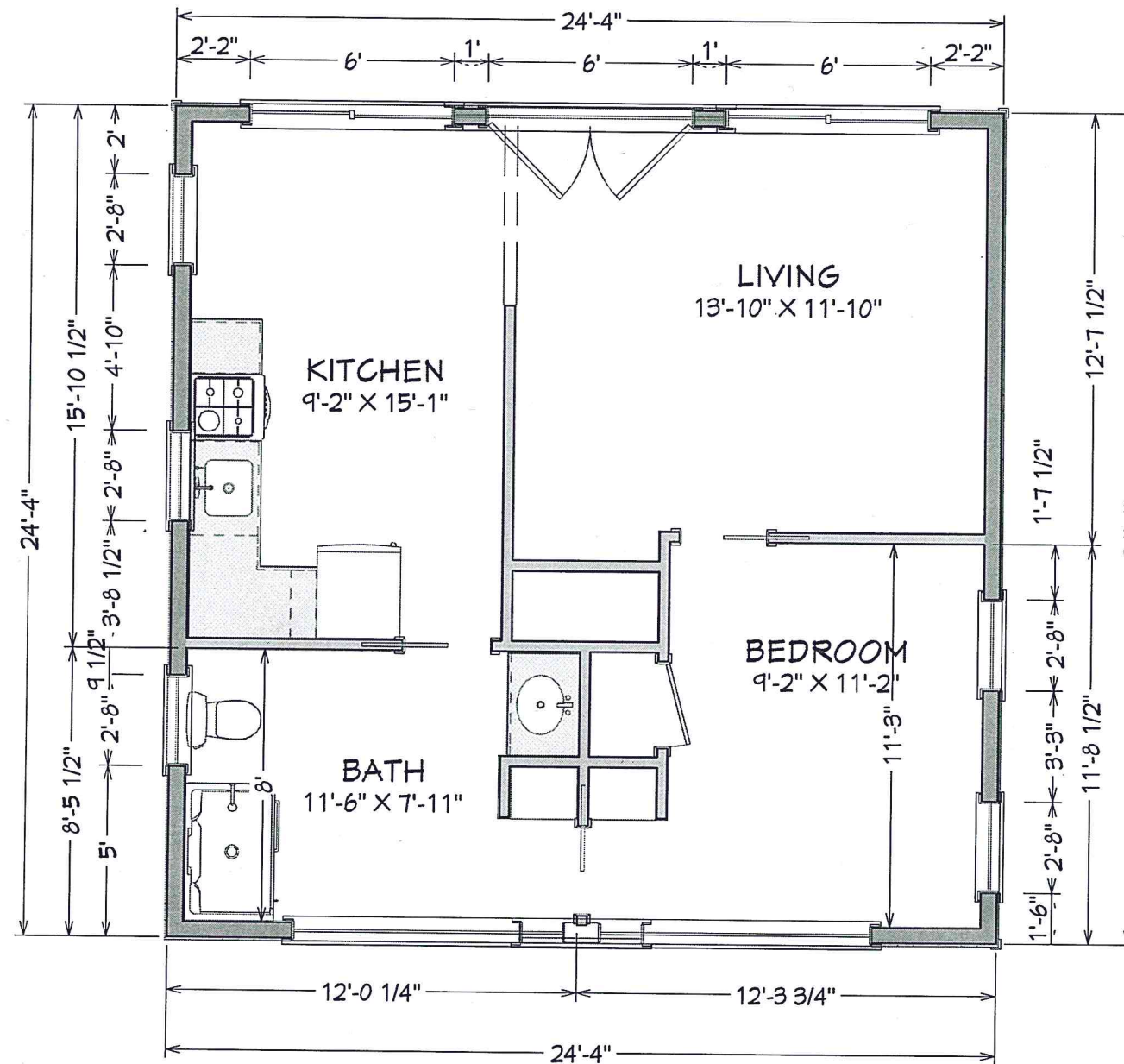
MAPES
RESIDENCE
GARAGE
RECONSTRUCTION
426 S. WINOOSKI AVE.
BURLINGTON, VERMONT

18 APRIL 2017
REVISED: 20 JULY 2018

SCOTT MICHAEL MAPES
PROFESSIONAL ENGINEER
POST OFFICE BOX 5517
BURLINGTON, VERMONT
802-554-8100

DEPARTMENT OF
PLANNING & ZONING

JUL 26 2018

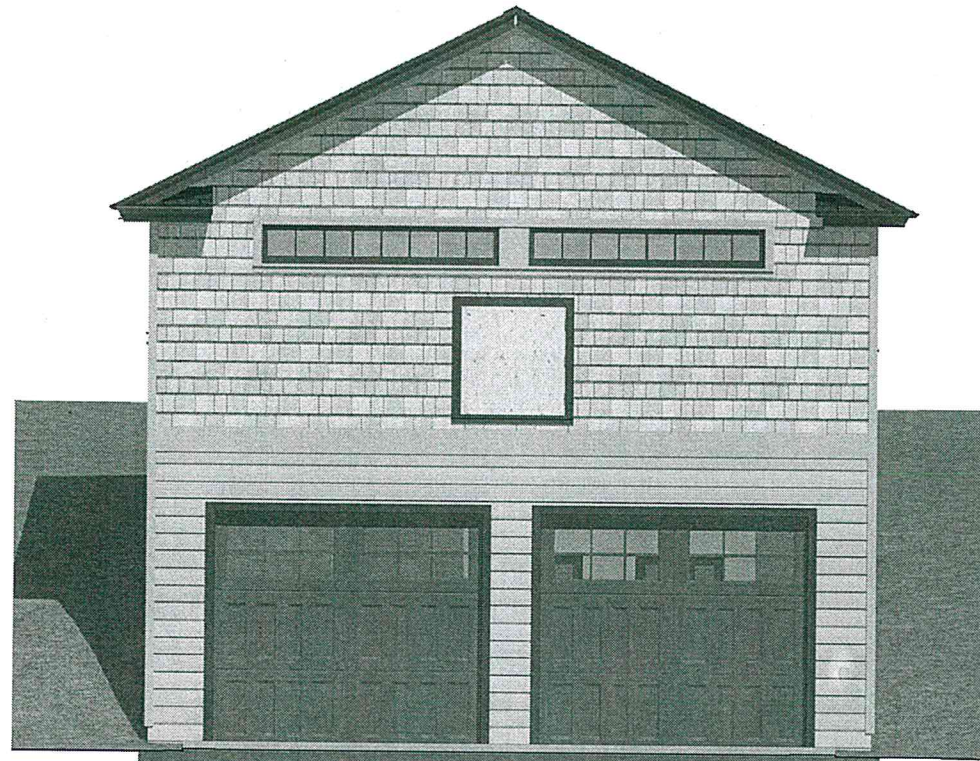


Apartment Level

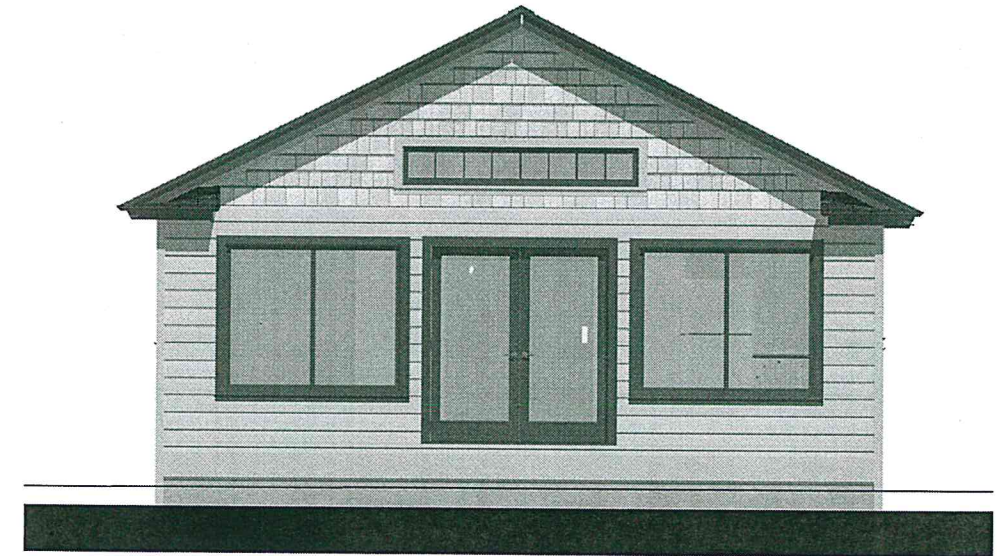
City of Burlington
 Planning & Zoning
 As Built Approval
 Date 7/27/18 ZP # 17-1117
 Address 426 So. Winchester
 ZA Officer [Signature]

RECEIVED
 JUL 26 2018

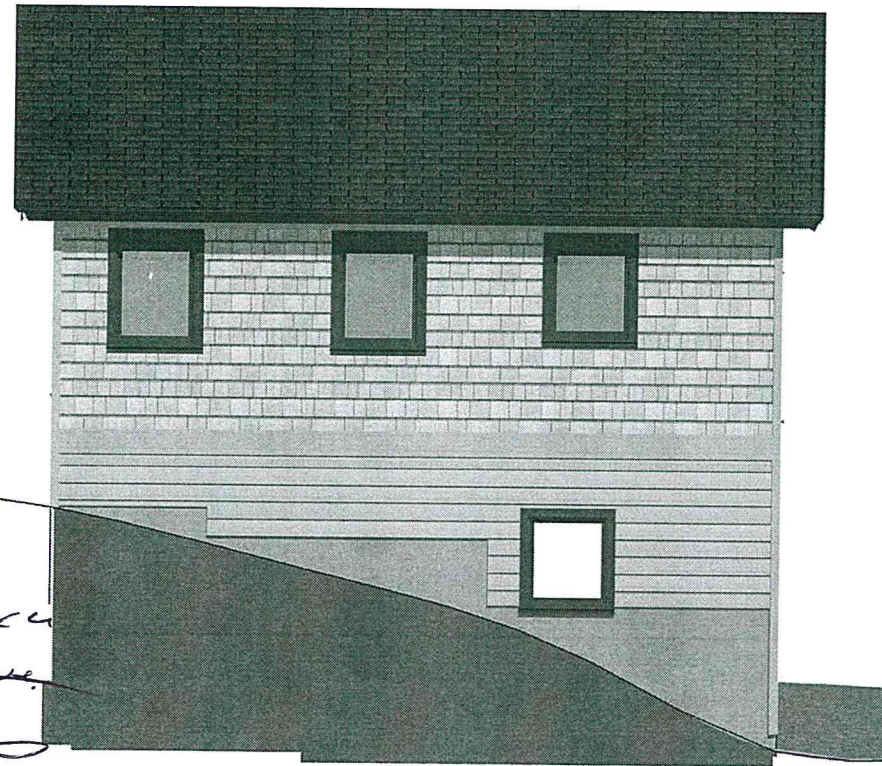
DEPARTMENT OF
 PLANNING & ZONING



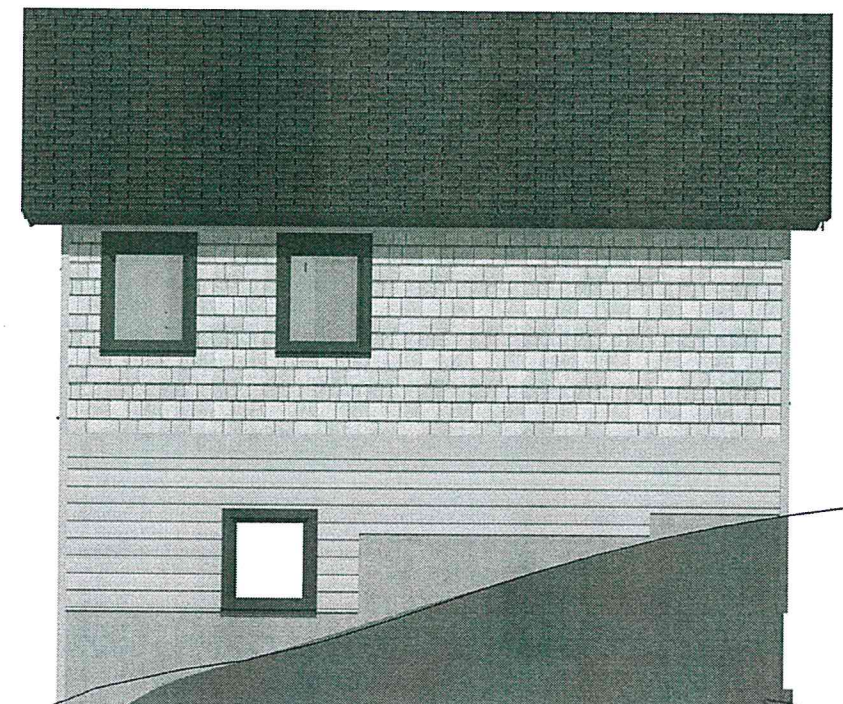
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

City of Burlington
Planning & Zoning
As Built Approval

Date 7/27/18 ZP # 17-1117 CACU

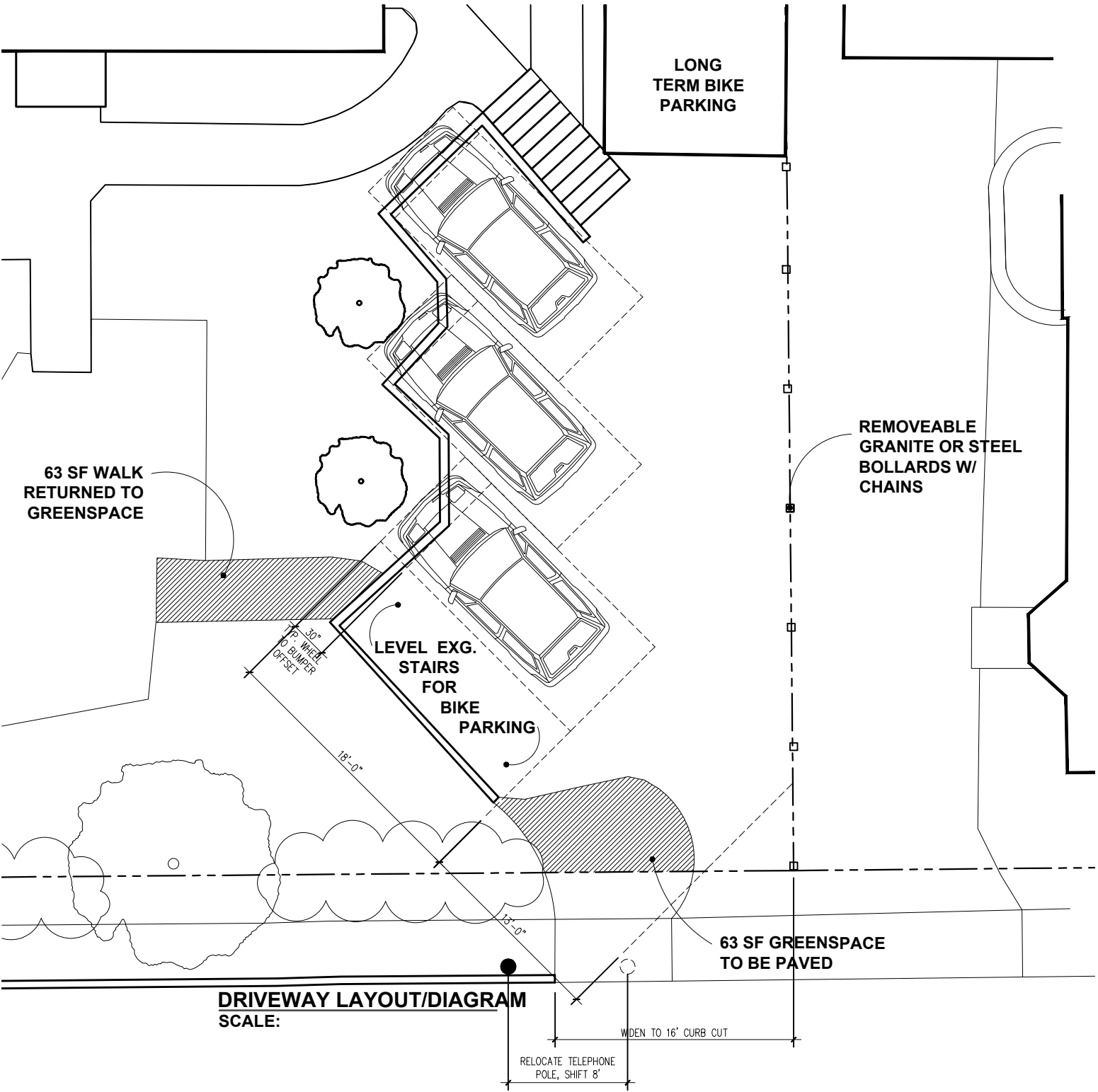
Address 426 S. Winoski Ave.

ZA Officer [Signature]

See also related photos.

RECEIVED
JUL 26 2018

DEPARTMENT OF
PLANNING & ZONING



LONG
TERM BIKE
PARKING

REMOVEABLE
GRANITE OR STEEL
BOLLARDS W/
CHAINS

63 SF WALK
RETURNED TO
GREENSPACE

LEVEL EXG.
STAIRS FOR
BIKE
PARKING

63 SF GREENSPACE
TO BE PAVED

DRIVEWAY LAYOUT/DIAGRAM
SCALE:

WIDEN TO 16' CURB CUT

RELOCATE TELEPHONE
POLE, SHIFT 8'

30°
TP. WHEEL
TO BUMPER
OFFSET

18'-0"

15'-0"

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Brad Rabinowitz

AJ LaRosa

Brooks McArthur

Springer Harris

Geoff Hand

Kienan Christianson

Zoraya Hightower

Vacant, (Alternate)

Ravi Venkataraman, (Alternate)

BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday August 6th 2019, 5:00 PM

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

Minutes

Board Members Present: B. Rabinowitz, A. Larosa, G. Hand, B. McArthur, Z. Hightower, K. Christianson

Board Members Absent: S. Harris. R. Venkataraman (Alt.)

Staff Present: Scott Gustin, Ryan Morrison, Layne Darfler

I. Agenda

No changes to the agenda, one project under public hearing has withdrawn

II. Communications

Supplemental communications have been submitted and dispersed to board members

III. Minutes

Minutes from the previous meeting will be discussed at the upcoming deliberation

IV. Consent

1. 19-1010CA; 1 King Street (DW-PT, Ward 5S) The Spot LLC

Site modifications to accommodate vehicular and pedestrian traffic flow for ferry basin
(Project Manager: Ryan Morrison)

There was no objection to the project being on the consent agenda by the Board and no members of the public stepped forward to testify. B. Rabinowitz had concern about site plan missing the rendering of a retaining wall.

G. Hand: Motion to approve and adopt staff findings and recommendations

B. McArthur: seconds the motion

5-0-0

2. 19-1026CA; 46 Appletree Point Road (RLW, Ward 4N) James Townsend & Renee Lauber

Addition to existing single family home. (Project Manager: Scott Gustin)

There was no objection to the project being on the consent agenda by the Board and no members of the public stepped forward to testify. S. Gustin provided information regarding the Conservation board's support of the project.

G. Hand: Motion to approve and adopt staff findings and recommendations

B. McArthur: seconds the motion

6-0-0

3. 17-1117CA/CU; 426 South Winooski Ave (RM, Ward 6S) Scott Mapes

Requesting time extension for demolish existing detached garage and replace with new detached garage with accessory dwelling unit. (Project Manager: Scott Gustin)

G. Hand: Recused

B. Rabinowitz: Had a tour of project by applicant

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Z. Hightower: Motion to approve and adopt staff findings and recommendations

A. LaRosa: Seconds the motion

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Re-applying 14-0747SD; subdivide 2 lots into 3; remove single family home construct two duplexes and one single family home (Project Manager: Scott Gustin)

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G. Hand: Motion to approve and adopt staff findings and recommendations

K. Christianson: Seconds the motion

6-0-0

V. Public Hearing

1. 19-1007CU; 1073 Pine St (RL, Ward 5S) Silvia Jope-Dalinghaus and Andrew Jope

Requesting 3 bedroom bed and breakfast; requesting a 3 space parking waiver (Project Manager: Ryan Morrison)

Andrew Jope and Silvia Jope of 1073 Pine St appeared on behalf of the project

S. Jope, provided overview of the project; A. LaRosa, inquired as to the posting, how long has it been rented as bed and breakfast, and how many spaces are required for this use.

S. Jope noted the space has been listed online for the past year as a means of supplemental income, they rent out the entire apartment or the individual bedrooms.

R. Morrison, discussed the parking requirements for the conditional use of a bed and breakfast in a residential zone relative to the existing use of the duplex. A. LaRosa, discussed what the waiver was for and how limiting the applicants to fewer bedrooms being rented out could end in not needing a parking waiver at all.

B. McArthur, inquired about how the applicants propose to accommodate the number of cars that need to be on site and that will be frequently coming and going from the property. S. Jope stated they are a one-car family but can also fit four cars with one extra fifth vehicle fitting behind them on the driveway when necessary. A. LaRosa, is the street parking there open? Confirmed by A. Jope

A. LaRosa, what are the recommended check in/out times that we have recommended previously? R. Morrison, typical condition limits check in times to 7AM to 10 PM. K. Christianson, the applicants posting online states late arrival check ins as one of their accommodations, specifically until 2AM; asked applicants if they would be willing to change that. S. Jope, would be able to change that without a problem.

G. Hand, we have submitted material here stating confusion about where they go and issues with people showing up at neighboring homes to check in. S. Jope, that was an issue in the early on of renting but now we have better signal of where to go.

K. Christianson, inquired about noise control. S. Joep, noise levels and rules are printed out in each room and on the listing. Z. Hightower, can the applicants address the concern about there being 4 bedrooms? A. Joep, we didn't realize we could only have three and have since learning so removed one of the bedrooms.

B. Rabinowitz, concerns about parking management plan regarding the statements that if there are extra cars coming they need to park them on the street, the applicants don't ask their guests to not bring extra cars. Would ask that the applicants tell their guests how many cars they can allow on the property and to not bring extra cars. A. Joep, when at full capacity, meaning when we have our two cars and the three guest cars. B. Rabinowitz, Technically there is only one guest parking space. A. Joep, that is because of the tandem parking issue, if we are a one car family how does that transfer over? A. LaRosa, discussed the parking requirements in the zoning district. R. Morrison, discussed the possibility of stacked parking spaces if the owner agrees to a valet system. S. Joep, confirmed they could handle a valet system.

K. Christianson, inquired about capacity volume throughout the year and how guests typically come to the property. S. Joep, 60% of the year they are at capacity, most travel by personal vehicles only small portion come by other means such as cab, bus, etc.

B. Rabinowitz, previous permits still open and there is some concern about the driveway size. A. Joep, currently working on closing out the previous permits, the last permit required removing a portion of the driveway bump-out which was done.

Dan Reagan, Allison Reagan, and Joshua Regan of 1069 Pine St provided public testimony

D. Reagan, the lower end of Pine St is primarily single family homes with children. The traffic from the Air BnB has been significant and has deteriorated the quality of life for neighbors. This summer we have had their guests parking in our driveway and walking around our property thinking it was their rental. The listing states they can come and go until early morning hours and the noise levels are very disruptive. Significant concerns about young children living nearby and the driveway is very tight with four vehicles. The Joep family has two cars and that creates an ongoing parking concern. A. LaRosa, are you a current tenant? A. Reagan, no we are the owners and visit frequently, our son Joshua lives on the property. A. LaRosa, my recollection is that this is directly across from Baird St which are all townhouses, not single family. A. Reagan, confirmed

J. Reagan, live there full time and it has become increasingly commercial. The folks staying there are on vacation. The parking has been an issue; they are parking in front of our house and walking across my lawn. As someone that lives in a low density residential neighborhood this is over the top. My property value is going to be impacted. A. LaRosa, did you live on the property when the property in question was being used as a duplex? Did you have any issues with that use? J. Reagan, Yes and that was not an issue. The tenants were involved in the community, worked 9-5 jobs, were not overly noisy. B. McArthur, can you describe the frequency of turnover? J. Reagan, all hours, specifically dinner time and weekends. It's just too much activity to not impact or impede on neighbors properties. The property has been overdeveloped; they are in bonus for lot coverage and now asking for parking waivers. Primary concerns are volume and security. We don't know these guests and have serious issues with people parking in driveway and walking around property.

Deena Frankel of 1061 Pine St provided public testimony

D. Frankel, Work in home office so in house most of the time. Within the last few months, it has been very much an issue. Has had individuals pull up and knocked on all of the

doors and windows who had the wrong house in the middle of the day on a weekend. Has concerns with noise and traffic impacts. A. LaRosa, when is it noisiest? D. Frankel, it is the noise of the folks parking on the street. It has been a relatively frequent occurrence that the cars on the street get damaged. It has been a significant impact in terms of noise and strangers walking around on property.

Z. Hightower, point out that the applicants had a very long term rental but there is no guarantee that another long term renter would work out for the needs of the neighboring property

A. Joep, the driveway fits four cars; no one who has stayed with us has had any traffic issues regarding accidents. Try to make sure the house is more clearly delineated and easy to find. S. Joep, it is a very busy street, it is not a children friendly street, and they go over to Baird Park. We do have neighbors who host meetings and we have always had issues getting out of our driveway because of other event parking. We looked a year and a half ago to find the regulations and couldn't find anything so we had to call code enforcement who pointed us to zoning. It's still new and we're all trying to figure this out. I feel bad that someone parked in their driveway and hadn't heard about that. B. Rabinowitz, what is the check in process? S. Joep, there is a hidden lock box with a key that we provide them information on how to find and use.

B. Rabinowitz: You had a four bedroom rental listed and brought it down to three; if we approved this as a two bedroom rental would you honor that? S. Joep, we would honor whatever decision was made but would not be happy with going to two bedrooms.

B. Rabinowitz, closed the public hearing regarding this project.

~~2. 20-0034CU; 39 Westward Dr (RL, Ward 7N) Christopher Liddle~~

~~Change of single family home to small daycare center (Project Manager: Scott Gustin)~~

Project has been withdrawn.

3. 19-1017CU; 186 South Willard Street (I, Ward 6S) Paul and Nancy Cotton

Change of use from single family home to three units within existing footprint. (Project Manager: Scott Gustin)

B. McArthur recused

S. Gustin, supplemental communication is an amended parking plan for the property.

Paul Cotton and Ilya Korolev appeared on behalf of the project

I. Korolev, no change to coverage, we propose enlargement of curb cut on our side of the property, including additional bike parking. B. Rabinowitz, the plan needs to be resubmitted after revisions as your currently showing the cars parking over the retaining wall. Was the lot coverage calculation submitted? S. Gustin, nothing was to change so we pulled the coverage calculation from permit history, it seems to be under the 40% of the ceiling.

Dave Wark of 190 Jackson Court provided public testimony

D. Wark, we share access to the property; the Staff report didn't mention site revisions until here at the meeting. Our property covers essentially 70% of that access. The change of will increase traffic and we just want to clarify that we own 70% of the access.

S. Gustin, based on the new plan that was supplied after the staff report was supplied; it should be conditioned that the applicants be required to contact the owners of the telephone pole about moving the pole and provide that written agreement.

B. Rabinowitz, close the public hearing

VI. Certificate of Appropriateness

1. 19-0655CA; 20-26 Church Street (FD6, Ward 3C) Gregory Chioffi Revocable Trust Agreement

Parking waiver request for changing 14 commercial units to 12-13 residential units.
(Project Manager: Ryan Morrison)

G. Chioffi, provided project overview. G. Hand, what is the parking plan? G. Chioffi, hopefully the tenants won't have cars, but can't guarantee that. Will not be providing parking.

B. Rabinowitz, how do tenants access the apartment? G. Chioffi, 22 Church St has an entrance. A. LaRosa, would the tenants use Church St to load/unload for moving? G. Chioffi, yes Church St marketplace is open to traffic between 7:30AM to 10:30AM Monday through Saturday.

Z. Hightower, what is the inclusionary housing threshold. S. Gustin, 10 units. A. LaRosa, discussion about what the Board was reviewing parking waiver and conversion or just parking waiver. S. Gustin, Board cannot make a decision on parking waiver without making a decision on the conversion from commercial to residential, therefore there would be an inclusionary housing condition. G. Hand, does the applicant have any issues with the Board applying the inclusionary housing requirements on two units? G. Chioffi, yes because we have had so many issues in the past trying to get this done.

B. Rabinowitz, the plans are confusing because they do not show what you've described and are asking for. R. Morrison, updated plans were requested but have not been submitted as of yet.

A. LaRosa, motion to continue meeting to September 17th 2019, however if applicant needs more time he can request deferral from Zoning staff. Second by B. McArthur 6-0-0

VII. Adjournment 6:23

The meeting was adjourned at 6:23 PM

Bradford L. Rabinowitz, Chair of Development Review Board

Date

Layne Darfler, Planning Technician

Date

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Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

www.burlingtonvt.gov/pz/DRB

Telephone: (802) 865-7188

Fax (802) 865-7195

Brad Rabinowitz

AJ LaRosa

Brooks McArthur

Springer Harris

Geoff Hand

Kienan Christianson

Zoraya Hightower

Vacant, (Alternate)

Ravi Venkataraman, (Alternate)

BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday August 6th 2019, 5:00 PM

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

Minutes

Board Members Present: B. Rabinowitz, A. Larosa, G. Hand, B. McArthur, Z. Hightower, K. Christianson

Board Members Absent: S. Harris. R. Venkataraman (Alt.)

Staff Present: Scott Gustin, Ryan Morrison, Layne Darfler

I. Agenda

No changes to the agenda, one project under public hearing has withdrawn

II. Communications

Supplemental communications have been submitted and dispersed to board members

III. Minutes

Minutes from the previous meeting will be discussed at the upcoming deliberation

IV. Consent

1. 19-1010CA; 1 King Street (DW-PT, Ward 5S) The Spot LLC

Site modifications to accommodate vehicular and pedestrian traffic flow for ferry basin
(Project Manager: Ryan Morrison)

There was no objection to the project being on the consent agenda by the Board and no members of the public stepped forward to testify. B. Rabinowitz had concern about site plan missing the rendering of a retaining wall.

G. Hand: Motion to approve and adopt staff findings and recommendations

B. McArthur: seconds the motion

5-0-0

2. 19-1026CA; 46 Appletree Point Road (RLW, Ward 4N) James Townsend & Renee Lauber

Addition to existing single family home. (Project Manager: Scott Gustin)

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