

Burlington Development Review Board

149 Church Street, City Hall
Burlington, VT 05401

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Vacant (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

**Tuesday August 5, 2014
PUBLIC HEARING NOTICE**

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

1. 15-0042CA/CU: 80 COLCHESTER AVENUE (I, Ward 1) Randall Miller & Frank Von Turkovich

Conditional use to change from institutional office to community center/membership club/place of worship; replace exterior staircase and install bike rack.

2. 10-1005CA/MA: 475 LAKE STREET (DW-PT, Ward 3) City of Burlington

Time extension request for redevelopment of the Moran Plant (including amendment) into public-private uses and associated site works and car parking. Upgrades to bike path, increased green space and park amenities, children's splash area/seasonal refrigerated skating rink and a rebuilt skate park. Includes Community Sailing Center.

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

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

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

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

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Tuesday August 5 2014, 5:00 p.m.

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

AGENDA

- I. **Agenda**
- II. **Communications**
- III. **Minutes**
- IV. **Consent**
 1. **10-1005CA/MA: 475 LAKE STREET (UR/DW-PT, Ward 3) City of Burlington**
10-1115CA: 0 LAKE STREET - 043-4-004-000
11-0570CU: 601 LAKE STREET - 038-2-006-000
Time extension request for redevelopment of the Moran Plant (5 permits including amendments and associated properties) into public-private uses and associated site works and car parking. Upgrades to bike path, increased green space and park amenities, children's splash area/seasonal refrigerated skating rink and a rebuilt skate park. Includes Community Sailing Center and staging area in urban reserve.
- V. **Public Hearing**
 1. **15-0042CA/CU: 80 COLCHESTER AVENUE (I, Ward 1) Randall Miller & Frank Von Turkovich**
Change use from office to membership club; replace exterior staircase and install bike rack. (Project Manager: Mary O'Neil)
- VI. **Sketch Plan Review**
 1. **14-1311SP: 86 MAIN STREET (D, Ward 3) Grandview Farms, Inc.**
Sketch Plan review for proposed twenty three unit apartment building, with office space. (Project Manager: Mary O'Neil)
- VII. **Other Business**
 1. Annual Organizational Meeting
- VIII. **Adjournment**

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

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

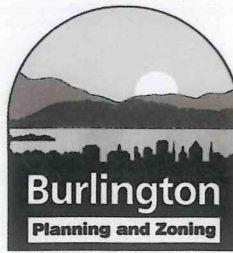
Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Planning and Zoning office and Development Review Board is considered public and cannot be kept confidential.

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

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
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Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner
Date: August 5, 2014
RE: ZP 14-1311SP, 86 Main Street

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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: ZP 14-1311SP
Location: 86 Main Street
(northwest corner of Main and Pine Streets)
Zone: D Ward: 3
Date application accepted:
June 27, 2014
Applicant/ Owner: Tyler Scott
/ Grandview Farms, Inc.
Request: Sketch Plan review
for proposed twenty three unit
apartment building with office
space, 8 internal parking spaces.

Background:

- **Zoning Permit 12-0168SN;** three new signs for Green Mountain Rehab and Sports Medicine. August, 2011.
- **Zoning Permit 11-0524CA;** change use of existing office space to medical office with retail. December 2010.
- **Zoning Permit 10-0560CA;** installation of rooftop mechanical equipment. December, 2009.
- **Zoning Permit 10-0446CA;** replace all windows on second floor, replace awning, install new exterior lighting. November 2009.
- **Zoning Permit 10-0272SN;** one free standing non illuminated metal sign for Chop Shop Hair Design. September 2009.
- **Zoning Permit 10-0273CA;** Change of use for first floor from office and retail to salon with retail. September 2009.



- **Zoning Permit 06-178CA**; Remove and replace wooden ramp and roof. Construct new covered ramp and stair entrance to upper level. September 2005.
- **Zoning Permit 00-605**; Parallel sign for existing office space. June 2000.
- **Zoning Permit 00-066**; installation of internally illuminated freestanding sign for office/furniture retail use. August 1999.
- **Zoning Permit 99-474**; installation of an awning without signage. April 1999.
- **Zoning Permit 99-378**; change of use for first floor from elderly daycare to offices with display area for special order office furniture. Includes some exterior changes. March 1999.
- **Zoning Permit 95-245**; installation of two externally illuminated parallel signs for the exiting second floor office space. December 1994.
- **Zoning Permit 92-408**; installation of gyroscope exercise machine in Senior Citizen Center parking lot on weekends. June 1991.
- **Non Applicability of Zoning Permit Requirements**; utilize 2,900 sq. ft. of existing general office space for the same use being general office space. August 1994.
- **Zoning Permit 90-246**; parallel sign on Pine St. façade and individual letter on Main St. façade. June 1990.
- **Zoning Permit 85-284/COA85-107**; Construct wood canopy over existing entrance stairs and ramp. July 1985.
- **Zoning Permit 79-316**; remove overhang above entrance and across front, repair damage to brick wall. July 1979.
- **Zoning Permit 77-770** to renovate the interior, install exterior door, two new steps, pipe railings, and planter. Change front entrance door swing, erect rear entrance way and metal canopy over side entrance, concrete curb and ramp. April 1977.
- **Zoning Permit issued to Interfaith Senior Citizen Center** to erect a fire escape on the northeast side of the building, install a concrete pad at the same location for a transformer. Grade around foundation and pad. December 1974.

Overview: 86 Main Street includes an existing two story masonry building with an empty lot fronting Main and Pine Streets. This proposal is to explore the erection of a 6 story attached residential/office structure, with minor parking.

Applicable Regulations:

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

Background Information:

The applicant is seeking sketch plan review for a six story residential / office building on a vacant portion of a corner lot that currently has a 2 story office/service use. Twenty three (23) new residential units are proposed, mostly flats style, but with those on the 5-6 floors townhouse

style. Eight parking spaces will be accommodated on site, with a small office space at street level.

Article 3: Applications and Reviews

Part 3: Impact Fees

Impact fees will be assessed, based upon the new gross floor area of the project.

Part 5, Conditional Use & Major Impact Review

Section 3.5.6 (a) Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

This proposal was reviewed by the Technical Review Committee (TRC) on July 10, 2014. The applicant was advised to obtain a sewage/location letter from DPW, and to work with the City Stormwater Administrator. No other capacity issues were raised.

2. The character of the area affected;

The Main Street corridor has a mixture of buildings of varying ages, heights and uses. 64-72 Main Street is an enhanced 4 story building; 40-60 Main Street is five floors. 111 Main Street is a four story structure with articulated cornice/roofline that presents a very high building façade. 131 Main Street (Vermont House) is a seven story structure with an eighth floor garden room. The hotel that fronts both Main and (151) St. Paul Streets is being constructed with 4 floors over 2 levels of parking (6 story height.) The majority of buildings fall into the 3-4 story range; but existing character reflects the presence of building heights between 2-7 stories.

3. Traffic on roads and highways in the vicinity;

No traffic information has been provided for this sketch plan review. Traffic information relative to anticipated trip generation and impacts on nearby roadway intersections will be needed when a permit application is filed.

4. Bylaws then in effect;

As assessment of the adequacy of submission information can be made when an application is made. Sketch Plan review typically does not provide sufficient information to determine full compliance with all applicable bylaws.

5. Utilization of renewable energy resources;

No information has been provided with respect to the utilization of renewable energy resources. Although the applicant indicates that no roof access will be provided for tenants, the large flat roofs may be appropriate for solar energy collection.

6. Cumulative impacts of the proposed use;

This criterion requires that cumulative impacts associated with residential development where it is permitted be deemed negligible.

7. Functional family;

Not applicable.

8. Vehicular access points;

A single vehicle access is proposed from Pine Street.

9. Signs;

No signage is included in this proposal. Signs will require separate zoning permits.

10. Mitigation measures;

It is unlikely that the construction of the residential / office structure will require mitigation measures relative to noise or glare within the Downtown district.

11. Time limits for construction;

No special phasing requests for construction have been specified in this sketch plan submission. The zoning permit approval would be valid for 2 years (1 year to start construction and another year to finish).

12. Hours of operation and construction;

Hours of operation are typically not defined for residential development. Office use normally occurs in the daytime, and would not incur special consideration for limitation.

13. Future enlargement or alterations;

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

14. Performance standards;

Performance standards are addressed under Article 5.

15. Conditions and safeguards;

Not applicable for sketch plan.

Section 3.5.6 (b) Major Impact Review Standards

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

No stormwater management details have been provided. A comprehensive stormwater management plan will be required at application. Stormwater management measures should control release into the city system and incorporate infiltration insofar as practicable.

2. Have sufficient water available for its needs;

A letter from the Department of Public Works confirms water and wastewater capacity will be a condition of approval.

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

See Section 3.5.6 (a) 1.

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

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

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;
This is an existing and fully developed intersection connected to existing transportation infrastructure (highways, sidewalks, bikepath.) The addition of 23 new residential units (most studio or one bedroom) and a very modest office space is anticipated to have a negligible impact on the pedestrian pathways and streets of the City.

6. Not cause an unreasonable burden on the city's ability to provide educational services;
The proposed mixed of studio and single bedroom units in the heart of downtown are unlikely to attract families with small children. It remains possible, however; but required impact fees would help offset any capital costs for children entering Burlington schools.

7. Not place an unreasonable burden on the city's ability to provide municipal services;
The proposed development will generate additional impacts on city services; however, the full extent of those impacts cannot be determined at sketch plan review. City Departments (Parks & Recreation, Fire, Police, Electric, CEDO, Planning & Zoning, School, and Public Works) were invited to participate in technical review of this project. Impact fees will be assessed for the proposed new square footage.

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;
None identified. See Section 6.2.2.

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

The proposed development will take place within the Downtown zone, an area of the city anticipated for increased density. The addition of 23 new residential units and a very small office space should have a negligible impact within the downtown. No adverse impacts on the city's growth patterns are anticipated.

10. Be in substantial conformance with the city's municipal development plan;
In that increased opportunities for residential use within the downtown zone are encouraged by the MDP, as well as consideration of more mixed-use development plans, this proposal conforms to the MDP.

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

The proposal will provide 23 new housing units within the heart of the downtown, which has been encouraged by both the MDP, most recently by way of Plan BTW: Downtown and Waterfront. Three units will be identified as perpetually affordable (IZ) housing units. In

amount, type, affordability and location, the 23 new residential units will be a welcome addition to the downtown housing mix.

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

Modest impacts on the city's park and recreation facilities may result. Payment of impact fees will help offset such impacts.

Article 4: Maps & Districts

Section 4.4.1

(a) Purpose (abridged)

The Downtown Mixed Use districts are intended to provide for a diverse and vibrant mixture of commercial and residential development within Burlington's most highly developed and dynamic urban core.....Residential uses are encouraged on upper floors, but are intended to be secondary to non-residential uses and shall not be allowed to define or dominate the overall development objectives and standards for the district. Active uses are to be provided at street-level in order to create an active and interesting streetscape for pedestrians and enhance the vitality of the downtown area.

Development is intended to be intense with high lot coverage and large tall buildings placed close together. ...Parking is intended to be hidden within, behind, or underneath structures, and parked vehicles should not be visible from the street.

(b) Dimensional Standards & Density

FAR in the Downtown is limited to 5.5, with bonuses possible for additional space. The FAR for the project has been estimated at 3.203, far below the limitation of 5.5

Max lot coverage permissible is 100%, with allowable setbacks of 0. (Although front setback is 12' from curb. There are 2 street frontages within this proposal.) Setbacks from the sidewalk are not annotated on the site plan, and must be to assure the required 12' from curbline.

Height is min. 30' (3 stories) up to 65' max, without bonuses.

Maximum bonus in the Downtown is 8.5 FAR, 105' height with bonuses.

Bonuses are described in (d) 6, below and Section 4.4.1 (d) 7. (Table 4.4.1-2: Maximum FAR and Building Heights with Bonuses.)

Setbacks for height bonuses are defined in (d) 4. below.

For a description of setbacks, see below.

Proposed lot coverage has been calculated at 85.5%. The maximum permissible is 100%.

(c) Permitted & Conditional Uses

The proposed mixed use is permitted in the Downtown zone. (See Appendix A, Use Table.)

(d) District Specific Regulations

1. Use Restriction

In order to maintain an active streetscape for pedestrians and pedestrian oriented businesses and activities, residential uses shall not be permitted on the ground floor in any structure as follows:

A. Ground Floor Residential Uses Restricted:

i. In the Downtown and Downtown Waterfront district.

No residential uses shall be allowed on the ground floor. As depicted on plans, none are proposed.

2. Public Trust Restrictions

Not applicable.

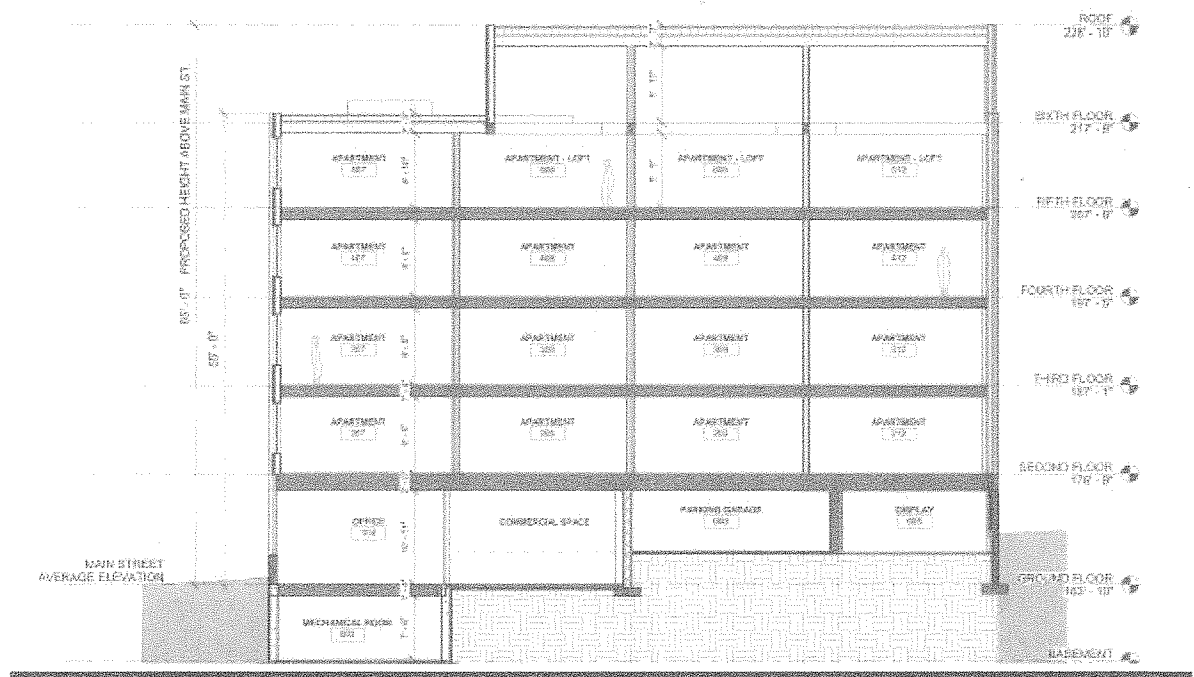
3. Facades and Setbacks on Side and Rear Property Lines

New buildings, or additions or improvements to existing buildings, placed on a side or rear property line where no setback is required may contain neither doors nor windows along such façade. Where the façade of an existing adjacent principal building is within 5 feet of a common property line and has either doors or windows, a setback of 10 feet shall be required for any new development up to the height of the abutting building.

The north side of the proposed building addition has two openings that exit onto an existing 10' right-of-way. It is not clear who owns the land, but the ROW provides the setback required by this section.

4. Building Height Setbacks

A. Principal View Corridors:



Building heights and forms shall respect the principal view corridors, defined as the rights-of-way of Pearl, Cherry, College, and Main Streets, and preserve or enhance views to the lake and mountains. New buildings abutting College and Pearl Streets shall be stepped back above the fourth (4th) story or 45-feet, and new buildings abutting Main and Cherry Streets shall be stepped back above the fifth (5th) story or 55 feet, a distance equal to one-fourth (1/4) the width of the abutting right(s)-of-way from the front property line. In no case shall such upper stories be setback more than forty (40) feet

from the front property line. However, where a principal building with no setback abuts a side lot line, no setback shall be required up to the height of the abutting building.

Elevations illustrate an intended setback from Main Street at 55' height. Main Street's ROW width is 99'. The setback from the front property line for the building above 55' should be at least 25% of that ROW width, not to exceed 40'. Although a required setback is noted on sixth floor plans, the measurement is not annotated. This measurement (minimally 24.75') should be annotated on the plans.

B. Church Street Buildings

Not applicable.

C. Side Street Building Height

As the development site is north of Main Street, not applicable.

5. Lake Champlain Waterfront Setback

Not applicable.

6. Residential District Setback

Parcel does not abut a residential district. Not applicable.

7. Development Bonuses/Additional Allowances

Development bonuses are available for A. Inclusionary Housing, B. Senior Housing, C. Public Parking, D. Job Attraction and Expansions Bonus, E. Green Building, F. Public Art or F. Incorporation of Public Amenities.

H. Maximum Bonus:

<i>In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum FAR and maximum building height permitted in any district as defined below: Table 4.4.1-2: Maximum FAR and Building Heights with Bonuses</i>		
Maximum FAR	Maximum Height	
Downtown	8.5 FAR	105 feet

As proposed, the project appears to meet the height (65' max.), FAR (5.5 max.) and setbacks as required by the ordinance without bonuses. No bonuses have been requested.

Article 5: Citywide General Regulations

Section 5.2.3 Lot Coverage Requirements

See Section 4.4.1 (b) above.

Section 5.2.4 Buildable Area Calculation

Not applicable.

Section 5.2.5 Setbacks

See Section 4.4.1 (b) and (d) above.

Section 5.2.6 Building Height Limits

See Table 4.4.1-1, Downtown District or Section 4.4.1 (b), above. Minimum 30', Maximum 65'. As proposed, the building appears to fall within height limitations of the CDO. No bonuses to building height limits are requested.

Section 5.2.7 Density and Intensity of Development Calculations

See Section 4.4.1 (b) above.

Part 4, Special Use Regulations

Section 5.4.8 Historic Buildings and Sites

86 Main Street is not included on the state or National Register of Historic Places; nor has it been identified as archaeologically sensitive. Not applicable.

Section 5.5.1 Nuisance Regulations

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

Section 5.5.2 Outdoor Lighting

No outdoor lighting information has been provided. A lighting plan meeting the standards of this section will be required as part of a formal application for review.

Section 5.5.3 Stormwater and Erosion Control

As noted previously, no stormwater management details have been provided. A comprehensive stormwater management plan will be required at the time of application.

Section 5.5.4 Tree Removal

The site of the building addition is currently pavement. No trees are proposed for removal.

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Section 6.2.2 Review Standards

(a) Protection of important natural features

There are no important natural features on the subject property. The site is almost entirely impervious/pavement. Guidance from the City Arborist should be sought as to the appropriate landscaping or any street trees to be included within the project area.

(b) Topographical alterations

There are existing grade changes along both Main Street and Pine Street at the development site. Excavation is proposed for the lower level/mechanical area; however the finished grade is anticipated to remain the same.

(c) Protection of important public views

East/west views as observed on Main Street will remain. The required setback in the Downtown above 55' in height will retain those public views toward the lake.

(d) Protection of important cultural resources

The property is not included in the city's map of archeologically or architecturally sensitive areas. Not applicable.

(e) Supporting the use of alternative energy

No information has been provided regarding the use of alternative energy. The use of wind, solar, water, geothermal, or other alternative energies is broadly encouraged.

(f) Brownfield sites

None identified.

(g) Provide for nature's events

See Section 5.5.3.

(h) Building location and orientation

The new building will be aligned along the street edge with the existing 2 story building; reinforcing the street and continuing around the corner to Pine Street. Spatially and architecturally the project will strengthen this corner. This has been a particularly "blank hole" which will now have a presence and street edge.

Building openings are proposed along Main Street, and a garage entrance opening on Pine Street. The broad expanse of glazing on both street facades opens the building up visually; however a pedestrian entrance on Pine Street would be welcome.

(i) Vehicular access

One vehicular access point, from Pine, will be provided into the site. A curb cut exists under current conditions but will likely be modified to accommodate the proposed development. Adequate access for emergency vehicles and fire apparatus will be required.

(j) Pedestrian access

Pedestrian access to the new building is available from the public sidewalk via two entrances off Main Street. Building residents may enter via the ROW off Pine Street on the rear/north elevation as well.

(k) Accessibility for the handicapped

Main Street entrances will allow access to an elevator for upper residential floors. There is an existing ramp at the rear of the building, although it is not clear how this may benefit the new building. A handicap parking space is identified within the small garage area, although it does not appear to have a circulation path to the elevator but be limited to the h/c ramp. It will be important to explore how a mobility impaired resident might park their vehicle and maneuver to an upper floor residence.

The building inspector will require ADA compliance for access, and visitability standards for the remainder of the project.

(l) Parking and circulation

Parking is limited to 8 internal spaces. The remainder of the required parking is proposed to be leased off-site, at the 40 Main Street parking garage where the project owner is a leasee.

See Article 8 for a discussion of parking requirements.

A comprehensive parking analysis will have to be provided at the time of application to assess the adequacy of the parking and management plan.

(m) Landscaping and fences

None articulated. This will need to be included within the application.

(n) Public plazas and open space

No public plazas or open space are depicted on plans.

(o) Outdoor lighting

See Section 5.5.2.

(p) Integrate infrastructure into the design

No infrastructure details have been provided. All utility lines must be buried. Mechanical equipment (such as HVAC), trash, and recycling facility details must be provided at the time of application. Any mechanical equipment must be integrated within the design envelope rather than added as an afterthought.

Part 3, Architectural Design Standards

Section 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

See Section 3.5.6 (a) 2. Main Street has a variety of building heights; most falling within the 2-7 story range. As this building is proposed to be six stories (set back at the fifth floor/55'), it will not be incongruous within the streetscape of larger buildings in the downtown core.

The building as designed engages street level interest with ample glazing; which in turn amplifies the verticality of the design. The arrangement avoids monotony with a slightly off-center structural "canvas" that energizes and activates the primary façade. The pine Street façade provides a pedestrian level ribbon of glass, with the vehicular access entry. Again, the arrangement of cladding provides interest and detail to the overall design.

2. Roofs and Rooflines.

Flat roofs are proposed for both building volumes. This is common in high rise buildings and those located within the downtown core.

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

The applicant indicated that roof access is not proposed for the residents. Solar is encouraged.

3. Building Openings

Principal entrances shall be clearly defined and readily identifiable from a public street whether by a door, a canopy, porch, or other prominent architectural or landscape features. People with physical challenges should be able to use the same entrance as everyone-else and shall be provided an “accessible route” to the building. Attention shall also be accorded to design features which provide protection from the affects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage.

Principle entrances are provided on the Main Street level, and two entrances to the parking level from the rear (north) ROW. Vehicular access is limited to Pine Street.

Handicap access is provided for the existing two story building via the ramp on the north. See comments above (Section 6.2.2. (k)) about h/c access between the parking level and residential spaces above.

Window openings shall maintain consistent patterns and proportions appropriate to the use. The window pattern should add variety and interest to the architecture, and be proportioned to appear more vertical than horizontal. Where awnings over windows or doors are used, the lowest edge of the awning shall be at least eight (8) feet above any pedestrian way, and shall not encroach into the public right-of-way without an encroachment permit issued by the dept. of public works.

Window openings are consistent in arrangement yet so designed as to avoid monotony. They lead the eye upward to articulate the building volume in a pleasant rhythm.

No awnings are articulated on the new building. Some consideration is recommended for a roof cover or overhang at the Main Street entrance to protect users from inclement weather. Such a canopy appears at the existing building entrance. A new canopy or other similar feature will require an encumbrance permit if it reaches into the public street right-of-way.

Buildings placed on a side or rear property line where no setback is required shall contain neither doors nor windows along such façade so as not to restrict future development or re-development options of the adjacent property due to fire safety code restrictions. Otherwise they should be setback a minimum of 5-feet.

This building is proposed to be attached to the existing 2 story building, so the only boundary line it approaches is on the north (Pine Street) side. The site plan identifies an existing 10' ROW. It is not clear who owns that ROW, but as presented, the building meets the required setback for abutting property.

(b) Protection of Important Architectural Resources:

See Section 6.2.2. (d).

(c) Protection of Important Public Views:

See Section 6.2.2. (c).

(d) Provide an active and inviting street edge:

Building facades shall be varied along the street edge by the integration of architectural features, building materials, or physical step-backs of the façade along its length. Large

expanses of undifferentiated building wall shall be avoided. This may be accomplished by incorporating fenestration patterns, bays, horizontal and vertical façade articulations, the rhythm of openings and prominent architectural features such as porches, patios, bays, articulated bases, stepping back an elevation relative to surrounding structures, and other street level details. The use of traditional facade components such as parapet caps, cornices, storefronts, awnings, canopies, transoms, kick plates, and recessed entries are highly encouraged. In areas where high volumes of pedestrian traffic are desired, the use of architectural recesses and articulations at the street-level are particularly important in order to facilitate the flow of pedestrian traffic.

As noted, pedestrian interest is engaged with an almost continuous expanse of glass along the entire streetfront elevation along Main and Pine Streets. The integration of differing building materials (brick, aluminum, and metal panels) activates the building elevations and provides an announced modern avowal. The attachment to a 1950s commercial building provides a curious yet compelling and pleasant counterpoint.

There do not appear to be any building recesses or planar changes along either streetfront, however the building elevations seem to provide shadow lines that suggest them. If part of the proposal, they would enhance the building's dimensional interest.

The applicant is cautioned to provide activity *within* the glazed areas to assure street interest, rather than reflective panels or dormant display areas. To truly engage and retain the interest along the street, there should be activity behind the glass. See next standard for further direction.

Non-residential buildings should provide visual access into the interior of building at the street level through the use of large transparent windows and/or window displays in order to create a dynamic and engaging public streetscape. The use of mirrored, frosted, or tinted glass shall not be permitted along an active pedestrian street-level façade. In contrast, residential buildings may be slightly recessed and/or elevated from the street-level in order to provide privacy. In such cases, visual interest along the streetscape can be provided through the use of landscaping, porches, and other similar features that offer a transition between public and private space.

Buildings in downtown districts that provide open space by way of building setbacks at the ground level shall utilize landscaping, street furniture, public art, sitting walls, fountains, etc. to maintain a sense of the existing street wall, define a sense of entry for the building and create a space that enhances the pedestrian's experience. Urban "open" space shall maximize accessibility for all individuals including the disabled, and encourage social interaction.

The building continues the existing "streetedge" with its immediate attachment to the existing two story structure. An entrance lobby is accessible from Main Street, which in turn provides privacy for the residential units on floors 2-6. As the building entrance is not recessed, street furniture or sitting walls would not seem appropriate here.

This primary entrance will be handicap accessible; an elevator is available within the lobby area.

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled

content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

The proposed exterior materials are primarily brick, aluminum storefront and insulated metal panels. All are anticipated to be durable and able to withstand the local harsh climate.

(f) Reduce energy utilization:

New structures should incorporate the best available technologies and materials in order to maximize energy efficient design. All new construction shall 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.

Conformance with current energy efficiency standards, as defined by Burlington Electric, will be required.

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

As noted, solar is encouraged. At the very least, infrastructure to allow for future solar installation should be considered within the design envelope.

A shadow study should be explored for the DRB submission. Preliminary analysis for little negative shadow impact, based on the abutting street (east) and parking area (north) may be substantiated with further modeling.

(g) Make advertising features complementary to the site:

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

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p).

(i) Make spaces secure and safe:

All requirements for ingress and egress, as defined by the building inspector and fire marshal shall be implemented. Consideration of appropriate lighting at building entrances and within the parking area shall be explored, especially relative to resident safety. Building should be sprinklered per standards defined by the fire marshal. Intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

Article 8: Parking

Section 8.1.8 Minimum Off-Street Parking Requirements

The subject property is located in the Downtown parking district. As a result, each dwelling unit requires 1 parking space for a total of 23 spaces. The sketch plans define 8 interior parking spaces. The balance of required parking is intended to be leased off-site at 40 Main Street.

There are existing uses in the attached building (hair salon, medical offices) which have parking requirements. An examination of previous permitting does not define specific requirements at the time of permit issuance. (ZP11-0524CA; 1030 sq. ft. of medical office; ZP10-0273CA; 3324

sq. ft., or entire 1st floor for salon with retail.) By current parking requirements, the medical office on the 2nd floor would require 1 parking space (1/1000 sq. ft.); and the salon would require 7 parking spaces (2/1,000 sq. ft.). The total parking requirement for those existing uses would be 8 parking spaces, which currently exist in the parking lot and are replicated in this application as the interior parking spaces.

The proposed new general office will need 2 spaces/ 1000 sq. ft., or 1 parking space for the 492 sq. ft. space.

For the new building: Residential = 23 parking spaces

Office = 1 parking space

A comprehensive analysis of the parking requirement for all uses and provisions for meeting CDO standards will be required for application.

Section 8.2.5 Bicycle Parking Requirements

Table 8.2.5-1, Bicycle Parking Requirements:

Residential, household living

Multi unit: 1 per 4 units long term spaces; 1 per 10 units short term spaces.

For 23 residential units, **6 long term** (23/4) and **2 short term** (23/10) must be provided.

For offices:

1/5,000 sq. ft. Long Term spaces; 1 per 10,000 sq. ft. short term spaces. For a 492 sq. ft. office, no bicycle parking would be required, but would be encouraged.

As noted in overall parking requirements, a comprehensive assessment of all uses on the site and requirements for bike parking will need to be submitted at the time of application.

The bike parking spaces must comply with the Department of Public Works' Bicycle Parking Guidelines.

Article 9: Inclusionary and Replacement Housing

Section 9.1.5 Applicability

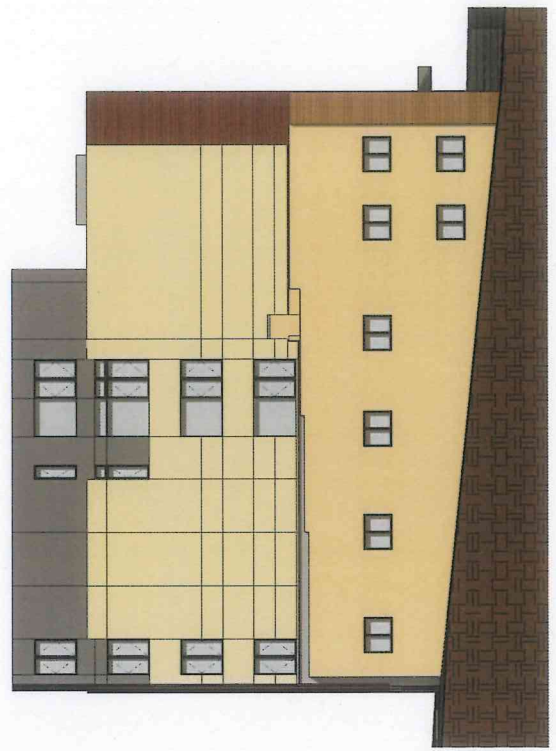
As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of this Article. Fifteen percent of the new residential units must be inclusionary (23 units are proposed x .15 = 3 units IZ). Impact Fees may be reduced for the inclusion of affordable units. A letter of compliance from the Housing Trust Fund manager will be required to define any reduction in the amount of impact fees to be assessed, based upon the square footage of new inclusionary units.

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

Date	Revisions

scale: 1/8" = 1'-0"
project no. 13-005
checked by: JM
drawn by: JM
date: 7.8.2014

project name:
86 MAIN STREET APARTMENTS
BURLINGTON, VT



③ WEST ELEVATION
1/8" = 1'-0"



① NORTH ELEVATION
1/8" = 1'-0"

JUN 27 2014

DEPARTMENT
PLANNING & ZONING

KREBS & LANSING
CONSULTING
ENGINEERS, INC.
164 MAIN STREET

SCOTT + PARTNERS
ARCHITECTURE

Exis
Build

86 MAIN STREET
APARTMENTS

project name:

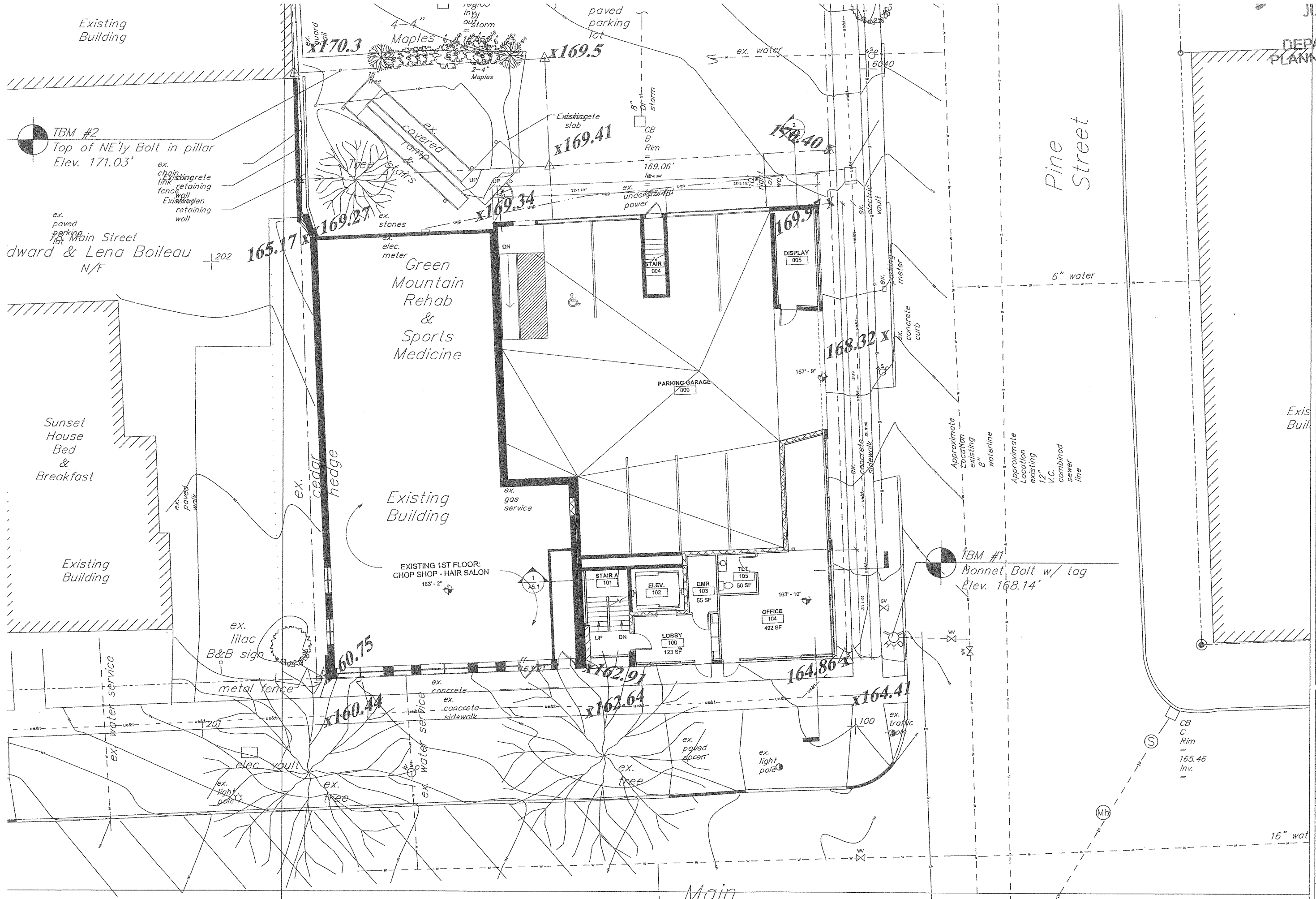
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project no.
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drawn by:
date:

date	revisions

sheet title:

SITE
PLAN

sheet no.



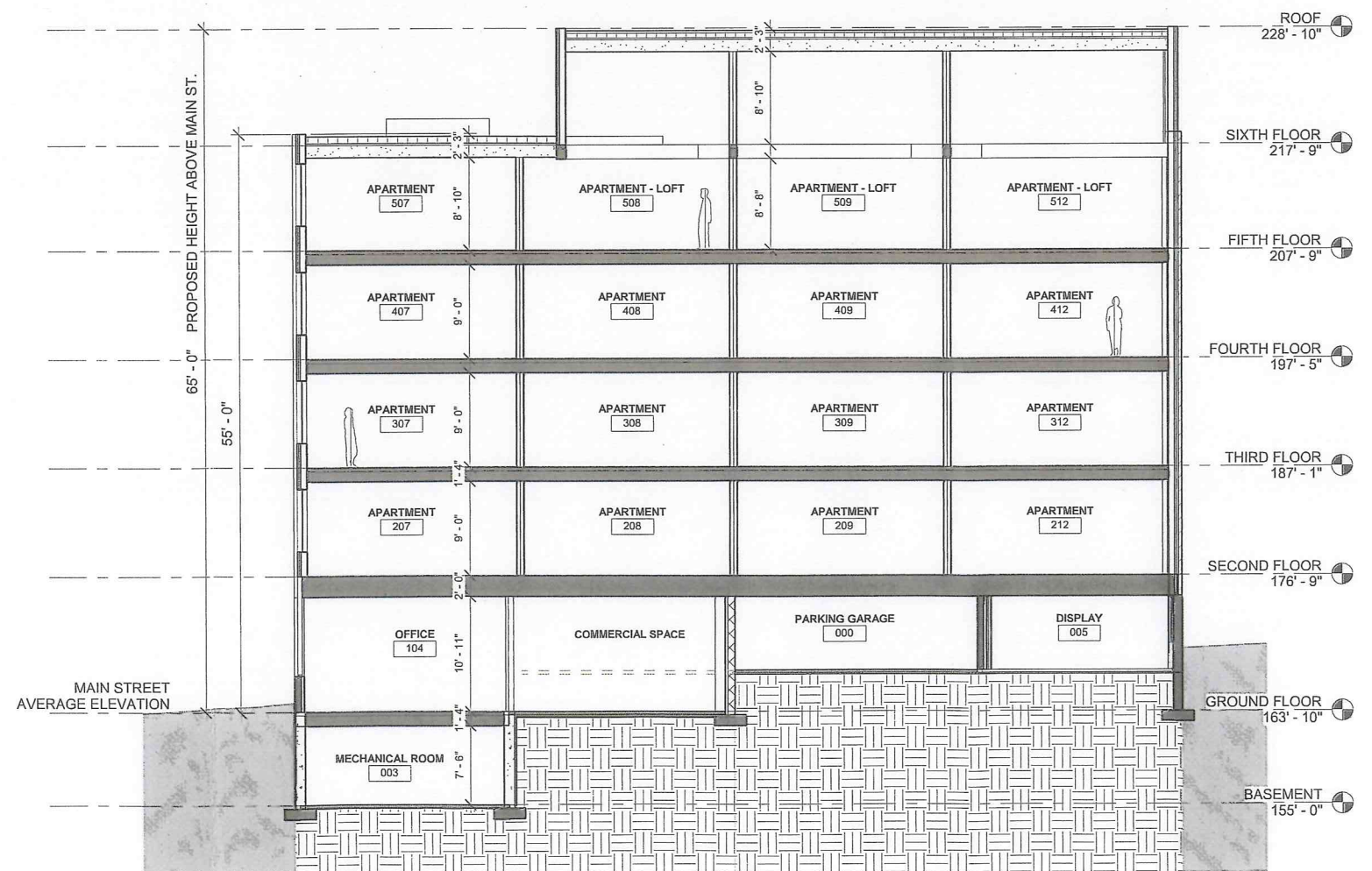


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JUN 27 2014

DEPARTMENT OF
PLANNING & ZONING

SCOTT + PARTNERS



project name:

86 MAIN STREET APARTMENTS

scale:

project no.

checked by:

drawn by:

date:

Date

Rev

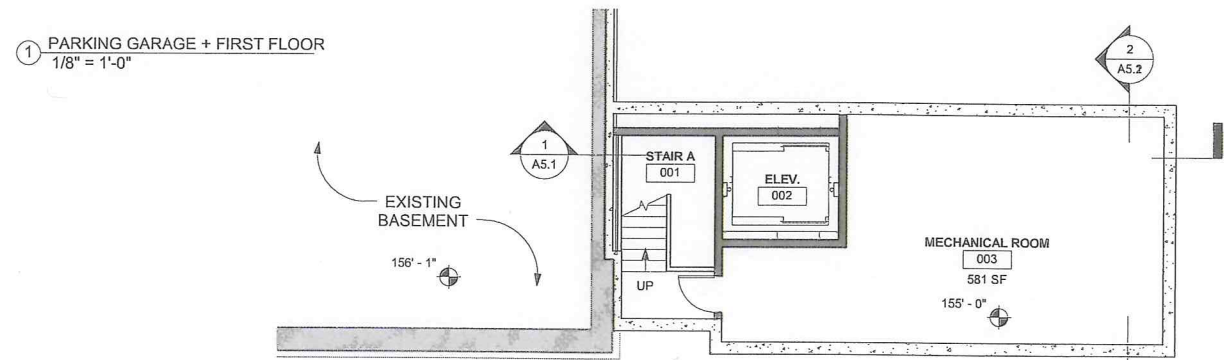
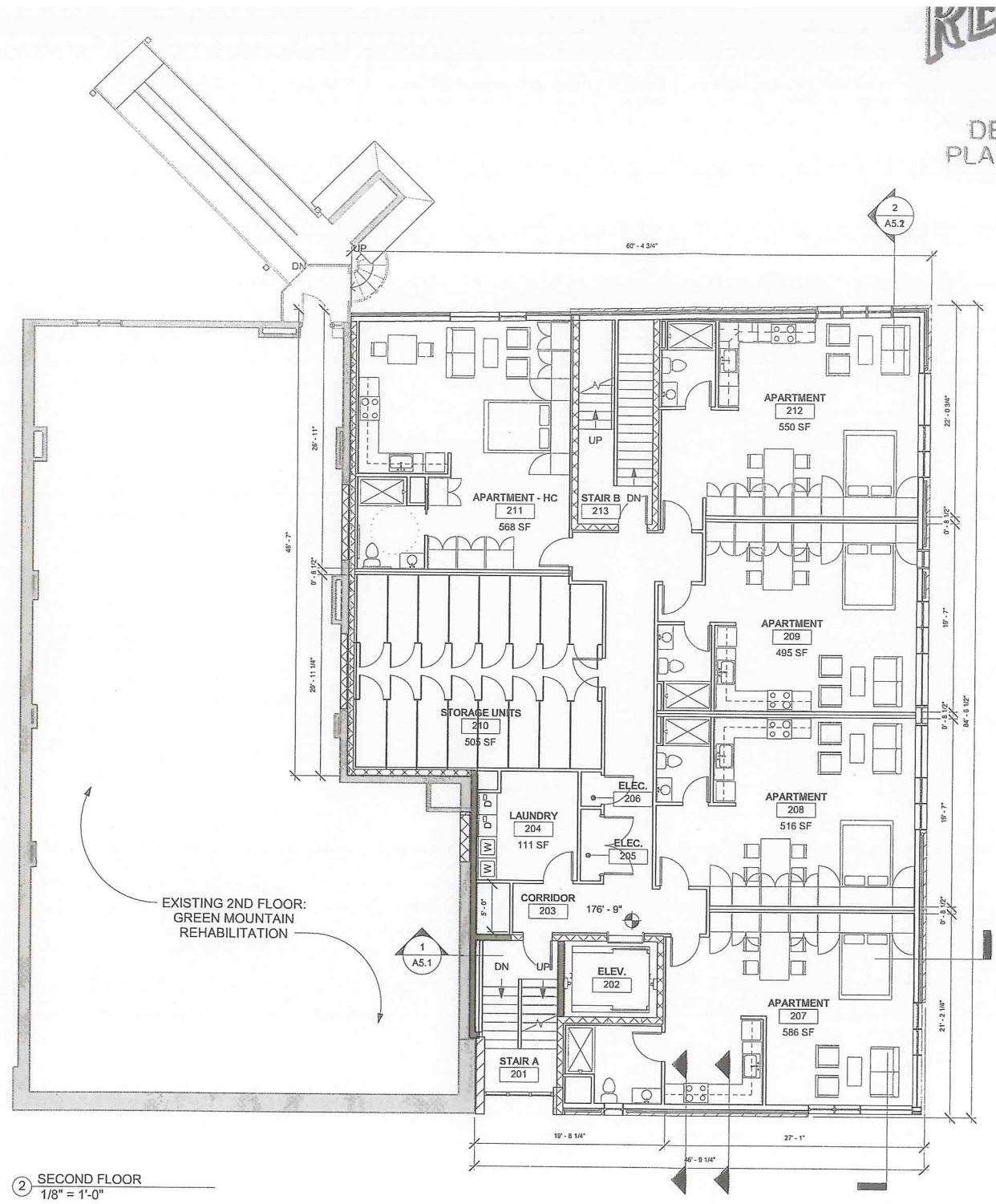
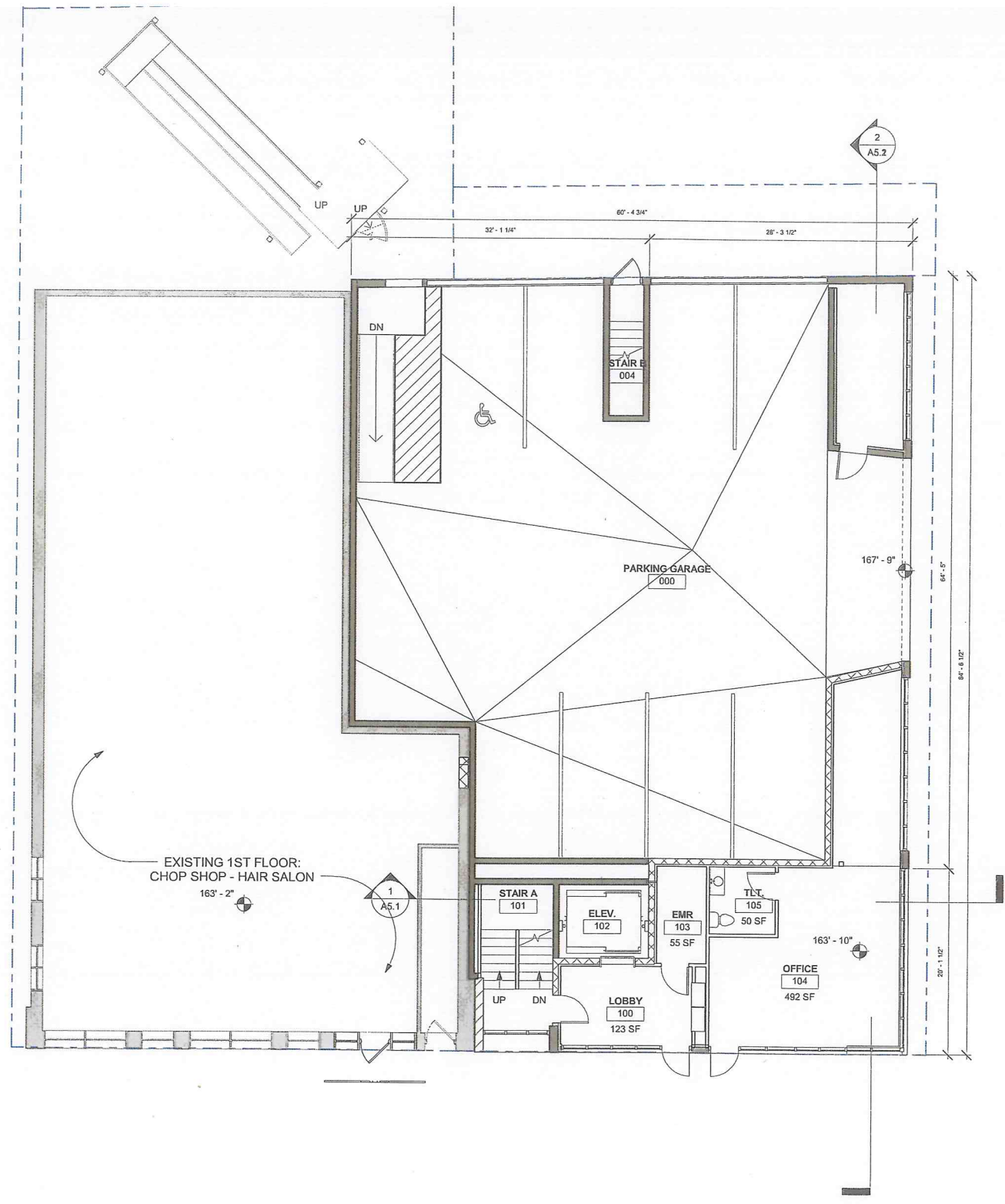
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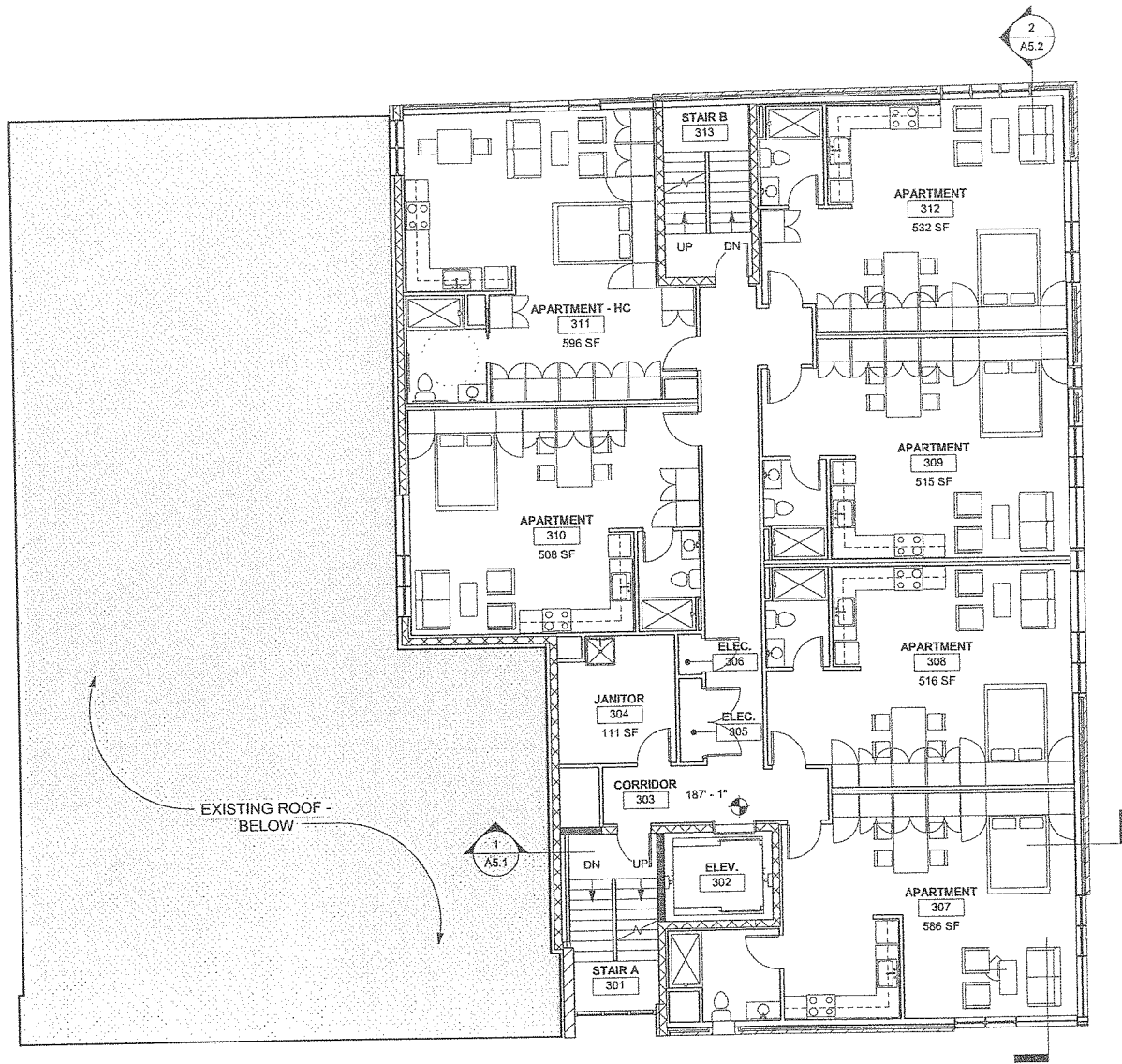
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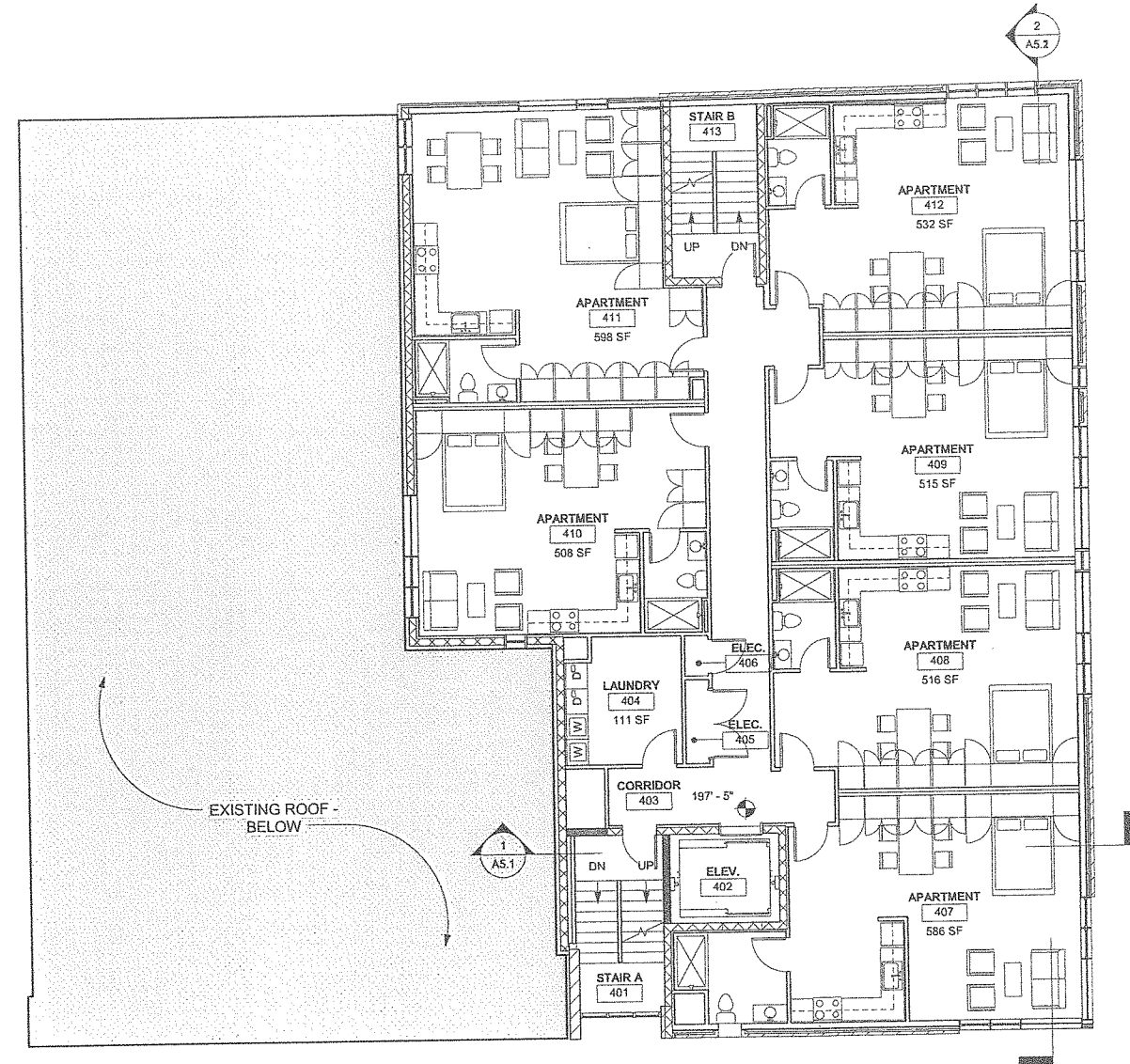
JUN 27 2014

DEPARTMENT OF
PLANNING & ZONING



① THIRD FLOOR
1/8" = 1'-0"

NOTE:
REFER TO SECOND FLOOR FOR DIMENSIONS.



③ FOURTH FLOOR
1/8" = 1'-0"

NOTE:
REFER TO SECOND FLOOR FOR DIMENSIONS.

project name:

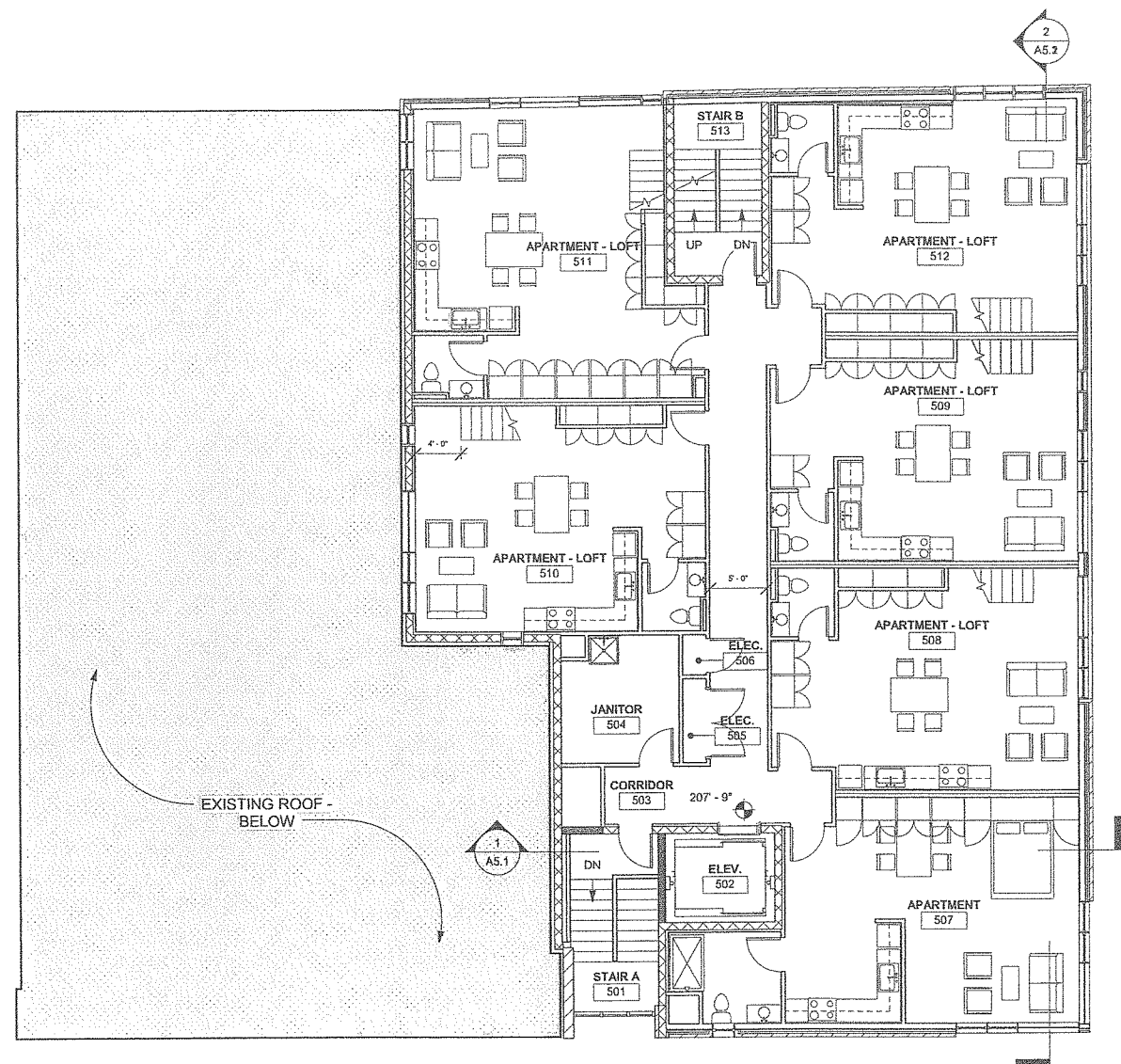
86 MAIN STREET APARTMENTS

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Date

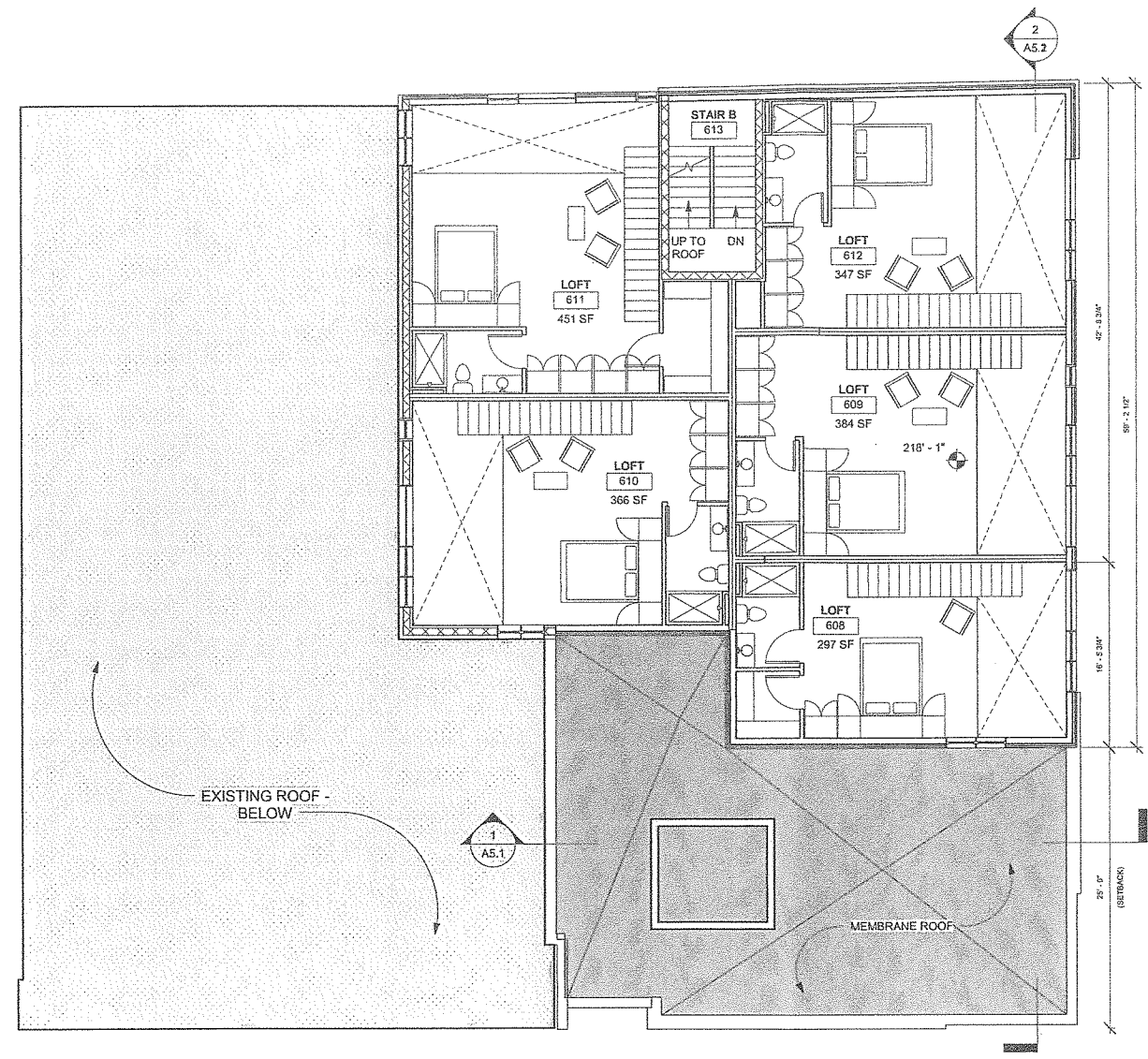
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FLOOR

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① FIFTH FLOOR
1/8" = 1'-0"

NOTE:
REFER TO SECOND FLOOR FOR DIMENSIONS.



② SIXTH FLOOR
1/8" = 1'-0"

project name:
86 MAIN STREET APARTMENTS

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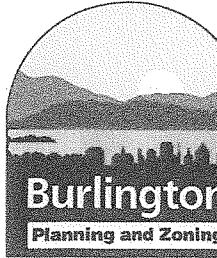
sheet title:
FIFTH +
SIXTH FLOOR

sheet no.

Department of Planning and Zoning

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



TO: Development Review Board
FROM: Scott Gustin
DATE: August 5, 2014
RE: 10-1005CA/MA; 475 Lake Street
10-1115CA; 0 Lake Street
11-0570CU; 601 Lake Street

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. **THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.**

Zone: DT-PT & UR Ward: 3 & 7

Owner/Applicant: City of Burlington

Request: Time extension for redevelopment of the Moran Plant (5 permits including amendments and associated properties) into public-private uses and associated site works and car parking. Upgrades to bike path, increased green space and park amenities, children's splash area/seasonal skating rink, and a rebuilt skate park. Includes Community Sailing Center and staging area in Urban Reserve.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Review)

Background Information:

The applicant is seeking approval for a 1-year time extension for redevelopment of the Moran Plant and associated site and infrastructure improvements and the Community Sailing Center. The requested time extension also pertains to the related construction staging area in the Urban Reserve. No project changes are included in this extension request.

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

I. Findings

Article 3: Applications and Reviews

Sec. 3.2.9, Zoning Permits

(d) Time Limit on Zoning Permits:

This project involves 5 zoning permits: 2 for the original project approval (10-1005CA/MA & 10-1115CA; 475 & 0 Lake Street, respectively), 2 amendments to the original project approval (same permit numbers), and 1 for the temporary construction staging in the Urban Reserve (11-0570CU; 601 Lake Street). The project was originally approved August 17, 2010. The amendments were

approved September 19, 2011. The construction staging permit was approved March 3, 2011. As noted in criterion (f) below, commencement of construction was delayed due to required federal permit requirements and Act 250 related litigation. As a result of the federal permit requirements and Act 250 related litigation, the effective date of the zoning permits was not until September 17, 2012 (the end of Act 250 related litigation). Construction activity commenced on September 13, 2013 with some onsite demolition, stormwater work, and brownfield activities. Since then, the city received a successful bid approved by the City Council June 23, 2014 for construction work to be completed in 2015. Insofar as construction activity commenced within 1 year of the effective date of the zoning permits, and the extension request has been filed within that year, the requested 1 year extension may be approved. Construction must be complete by September 17, 2015.

(Affirmative finding)

(f) Exceptions to Permit Time Limits

This criterion tolls the start time for zoning permits subject to other state or federal permitting jurisdiction and/or appeals. Specifically, it states: "For projects subject to additional state or federal permitting jurisdiction, the date of decision [i.e. the effective date] shall be deemed to be the latest date of decision of the state or federal permitting authority. For projects under appeal pursuant to the requirements of Article 12, the date of decision shall be deemed to be the date of the decision adjudicating such appeal." This project required a U.S. Army Corps of Engineers permit and was also the subject of litigation relative to Act 250 jurisdiction. The Army Corps permit was issued December 8, 2011 and litigation relative to Act 250 concluded September 17, 2012 (Act 250 jurisdiction was found not to apply). With the conclusion of litigation on September 17, 2012, the 1 year start time for the zoning permits began. **(Affirmative finding)**

II. Conditions of Approval

1. Except as specifically modified in this approval, all conditions of the original zoning permits (10-1005CA/MA, 10-1115CA, & 11-0570CU) and as amended shall remain in effect.
2. Standard permit conditions 1 -15 (including construction completion date no later than September 17, 2015).



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COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

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www.burlingtonvt.gov/cedo

DEPARTMENT OF
PLANNING & ZONING

Mr. Scott Gustin
Burlington Department of Planning & Zoning
149 Church Street
Burlington, VT 05401

RE: Waterfront Access North/Moran Project – Request for Extension of Permits

July 28, 2014

Scott,

The City of Burlington is requesting a time extension for redevelopment of the Moran Plant (5 permits including amendments and associated properties) into public-private uses and associated site works and the Waterfront Access North project. The projects include upgrades to bike path, car parking, increased green space and park amenities, children's splash area/seasonal skating rink, and a rebuilt skate park along with the Community Sailing Center and staging/stockpile area in Urban Reserve. We are requesting a 1-year time extension on the following permits:

- 10-1005CA/MA; 475 Lake Street
- 10-1115CA; 0 Lake Street
- 11-0570CU; 601 Lake Street

There are no project changes included in this extension request.

The project was originally approved August 17, 2010. The amendments were approved September 19, 2011. The construction staging permit was approved March 3, 2011.

The reason for this request for a time extension is due to multiple delays in the commencement of construction. The first was a delay in issuing a U.S. Army Corps of Engineers permit due to a backlog of permit requests created by Tropical Storm Irene (permit issued December 8, 2011). Also there was litigation originally related to appeals of the zoning permits in which the City prevailed and then additional litigation related to Act 250 jurisdiction. The Act 250 litigation was concluded on September 17, 2012 with a determination that Act 250 jurisdiction did not apply to the project.

The City began construction activities on September 13, 2013 with some onsite demolition, stormwater work, and brownfield activities. The City recently received a

successful bid approved by the City Council June 23, 2014 for construction work that will be completed in 2015.

Please let me know if you need any additional information. I plan on attending the Development Review Board meeting in case they have any questions as well. Thank you for your consideration of this request.

Sincerely,

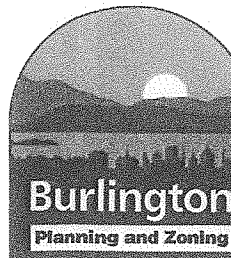
Kirsten Merriman Shapiro

Kirsten Merriman Shapiro, CEDO, Special Project Manager

Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



Burlington Development Review Board

Minutes/Findings of Fact
August 17, 2010

In RE: 10-1005CA/MA & 10-1115CA; 475 & 0 Lake St. (Ward 3, DW-PT) (Tax Lot No. 043-4-007-001 & 043-4-004-000)

Owner/Applicant: City of Burlington

Request: Redevelopment of the Moran Plant into public-private uses and associated site works and car parking. Upgrades to bike path, increased green space and park amenities, children's splash area/seasonal refrigerated skating rink and a rebuilt skate park. Project includes Community Sailing Center.

Members Present:

Michael Long
Jonathan Stevens
Brad Rabinowitz
Bob Schwartz
Kevin Stapleton
Paul Henninge

Evidence Presented:

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

I. FINDINGS

Background Information:

The applicant is requesting approval for the comprehensive redevelopment of the Moran Plant into a mixed use public-private space with associated site work and parking. Site work includes, but is not limited to, bike path upgrades, a children's splash area/seasonal refrigerated skating rink, and a reconstructed skate park. The Community Sailing Center building and site work that includes outdoor boat storage is also part of this application.

Property boundaries have been adjusted to result in a single lot containing the Moran building, the sailing center, and site improvements. The boundary line adjustment was filed under separate application. The project site plans reflect the adjusted property boundaries.

Some minor site work extends into the adjacent city property to the south. As required, a separate zoning permit application has been filed. The work is incorporated into these findings.

The Design Advisory Board reviewed this project on June 8 and again on July 13, 2010. On a 3-1 vote, the DAB recommended forwarding the project to the Development Review Board. The

single major concern of the DAB was the design of the proposed sailing center building. As a largely unarticulated metal box, Board members were concerned that the proposed building reflected only its utilitarian function as a boat warehouse and missed the opportunity to contribute positively to the built environment along this highly visible portion of the downtown waterfront. The DAB felt that the other aspects of the project should not be held up because of the sailing center building and recommended the following condition:

1. Greater thought and articulation for the building design is strongly recommended. Development at this site is an unparalleled opportunity; one that recognizes absolute and unmatched visibility from Lake Champlain, accompanied by direct public access from Lake Street, the bike path, and the Urban Reserve. The Community Sailing Center will be a public building in the most public of places. A plan that acknowledges this unrivaled public access, and responds to that visual exposure in function, beauty and high design, is strongly encouraged. Any building at this site has the potential to be a visual landmark. This development is not just an opportunity; it is an obligation to the public. While anticipated resource and functional use appear to have limited the overall building design, to minimize both the building appearance and the site's potential is shortsighted and a missed opportunity. This structure could and should reflect the importance inherent in mission, location, and community vision, especially for Burlington's waterfront development and future use.

Slightly revised building elevations depicting some additional dimensions and details have been provided; however, the proposed building remains essentially unchanged.

The Conservation Board reviewed the proposal on July 12 and on August 2, 2010. The Board recommended approval subject to the following conditions:

- 1) Recalculate bike parking to include the parks, restaurant, and parking lot uses.
- 2) Relocate the short term bike parking for the Moran to the building's main entrance. Doing so may entail relocation of the long term parking elsewhere onsite, which is acceptable.
- 3) Provide only the minimum number of required vehicle parking spaces.
- 4) Keep the Conservation Board involved in the wetlands Individual Permit process with the U.S. Army Corps of Engineers and allow for Board comment.
- 5) Lighting for the Sailing Center shall be directed away from the wetland.
- 6) Coordinate with the Department of Parks & Recreation on pedestrian access (both formal and informal) into the Urban Reserve.

As the Board recommendation came just 1 day before the DRB hearing, revised plans have not been submitted to address these recommendations. The applicant is amenable to the recommendations, except for #3.

Previous zoning actions for this property are noted below.

- 6/25/09, Approval (non-applicability form) for interior clean-up of Moran building
- 5/1/09, Approval to install a seasonal tent for sailing classes
- 5/24/09, Approval of parallel sign for sailing center
- 5/9/08, Approval to relocate sailing center from Moran to DPW Pumping Station
- 7/29/02, Approval of parallel sign for sailing center
- 4/19/01, Approval to install portable restroom and fencing at skate park
- 5/21/00, Approval to install signage at skate park
- 8/26/99, Approval to install fishing pier

- 4/5/99, Approval of skate park
- 1/23/97, Approval to remove nonstructural ladder from Moran
- 7/14/94, Approval to modify access into the sailing center
- 5/27/93, Approval of sailing center
- 8/9/90, Approval to remove “car shaker” structure and replace with fill and grade
- 6/14/90, Approval for Moran site work
- 6/14/90, Approval of temporary International Sculpture Symposium

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The renovated Moran and the new sailing center building will be served by the municipal water and wastewater systems. Adequate reserve capacity is available; however, written confirmation from the Department of Public Works is required before a state wastewater permit can be issued. **(Affirmative finding as conditioned)**

2. The character of the area affected;

The project site is located at the northern end of the Downtown Waterfront and adjacent to and just south of the Urban Reserve. The area contains the Coast Guard facility, BED and Water Department buildings, a public boat launch, fishing pier, the skate park, and the current sailing center. Waterfront Park is located just to the south of the subject site. The proposed site renovations will effectively serve as additional public parkland while the renovations to the Moran building will bring about several new uses including a museum, indoor recreational facility, restaurant, and café. The sailing center is already present onsite but will be relocated into a new building with outdoor storage area at the northern end of the site. The project is heavily geared towards public access and serves to strengthen this end of the Downtown Waterfront. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

A traffic study has been provided and addresses traffic volumes, intersection impacts, and parking capacity. The completed project is expected to generate 59 AM peak hour vehicle trips and 77 PM peak hour trips during weekdays and 71 Saturday peak hour trips. Level of service (LOS) at the three analyzed intersections (College St/Lake St, Battery St/College St, and Battery St / Main St) changes little between the build versus no-build scenarios. Queue lengths at these intersections are expected to experience minimal impacts with the projected addition of 1 more vehicle 33% of the time. Anticipated traffic impacts are surprisingly minor; however, the engineering division at the Department of Public Works has reviewed the study and concurs with its findings. See Article 8 of these findings for parking. **(Affirmative finding)**

4. Bylaws then in effect;

As per the findings herein and as conditioned, the project is in compliance with all applicable zoning bylaws. **(Affirmative finding)**

5. Utilization of renewable energy resources;

The Moran building will utilize lake water for its climate control needs. Doing so will save considerable energy, particularly for cooling. Beyond the utilization of this renewable resource,

emphasis has been placed on energy efficiency within the building. LEED certification will be sought. No renewable energy resources will be utilized by the sailing center building beyond the use of passive solar lighting. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

The most significant cumulative impact associated with this proposal is likely vehicular traffic. There is presently one way into the site and one way out of it. The submitted traffic analysis indicates that, while the number of vehicle trips generated by the project will be substantial, impacts on the existing roadway network will be modest. **(Affirmative finding)**

7. Functional family;

Not applicable.

8. Vehicular access points;

Lake Street will be upgraded along the length of the project site and will provide four points of access; two to the Moran and two to the sailing center. Given the anticipated traffic volumes, the four access points are reasonable. **(Affirmative finding)**

9. Signs;

Building elevations depict parallel signage for both the Moran building and the sailing center building. The existing "City of Burlington" parallel sign on the south elevation of Moran will be restored. Conceptually, the signage is acceptable but is subject to a separate zoning permit. **(Affirmative finding as conditioned)**

10. Mitigation measures;

The proposed use will not generate noise or glare sufficient to warrant mitigation. The sailing center and the skate park, two active outdoor uses, are present onsite already. Noise levels are expected to be as typically associated with a city park. Lighting is addressed under Sec. 5.5.2. **(Affirmative finding)**

11. Time limits for construction;

The project will be phased as reflected in the application's delineation of twelve separate components. No time frame has been specified for the individual phases; however, the applicant anticipates construction to take less than 2 years and can fit within the standard 2-year time frame for zoning permits. The proposed phasing is acceptable, but each phase needs to be clearly depicted on the project plans. **(Affirmative finding as conditioned)**

12. Hours of operation and construction;

The proposed hours of operation are 6:00 AM – 2:00 AM, 7 days per week. These hours are the maximum span for hours of operation; not all uses associated with this project will be open for business 20 hours per day. Given the variety of uses proposed and the Downtown Waterfront location, the proposed hours of operation are acceptable. Hours of construction need not be specified in this location and will be restricted by the city's noise ordinance. **(Affirmative finding)**

13. Future enlargement or alterations;

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

14. Performance standards;

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

15. Conditions and safeguards;

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

(b) Major Impact Review Standards

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

Stormwater management will be substantially improved as part of this application. See Sec. 5.5.3 for details. Air and noise pollution will be as expected for typical recreational, restaurant, or museum uses. **(Affirmative finding)**

2. Have sufficient water available for its needs;

See Sec. 3.5.6 (a) 1.

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

See Sec. 3.5.6 (a) 1.

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

A comprehensive erosion prevention and sediment control plan has been submitted along with a stormwater management plan. The plans have been reviewed and approved by the Conservation Board. Approval by the Stormwater Administrator per Chapter 26 is pending. **(Affirmative finding as conditioned)**

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed; See Sec. 3.5.6 (a) 3 for traffic impacts. The project is not expected to cause unreasonable congestion or unsafe conditions on nearby sidewalks or bikeways. Pedestrian access throughout the site will be upgraded substantially, and the bike path will be reconstructed along the length of the subject site. The interaction between vehicle, pedestrian, and bike routes onsite appears to invite the possibility of congestion, particularly at the northeastern end of the site where Lake Street will end and the bike path continues. Revised plans to mitigate this apparent congestion, particularly at the northeast corner of the site are needed. **(Affirmative finding as conditioned)**

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

This mixed use project contains no residential component and will have no adverse impact on the city's ability to provide educational services. **(Affirmative finding)**

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

The project is, in part, an expansion and enhancement of city recreational facilities. Demands on municipal services are expected to be relatively moderate and will not be unreasonably burdensome. Impact fees will be paid to help offset what impacts there are on municipal services. **(Affirmative finding as conditioned)**

8. *Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;*
See Sec. 6.2.2 (a) & 6.3.2 (b).

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

The project constitutes redevelopment of a vacant municipal power plant into a mixed use recreational and cultural facility. It will serve to substantially strengthen this portion of the Downtown Waterfront. The project will have no adverse impact on the city's present or future growth patterns. **(Affirmative finding)**

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

The proposed development can be found to be in substantial conformance with the MDP, as per the following:

The proposed development will transform a vacant municipal power plant into a mixed use recreational and cultural facility within the city's Downtown Improvement District (pg. I-10, Downtown Improvement District).

The project includes a comprehensive stormwater management plan that collects and attenuates stormwater runoff prior to offsite discharge. In addition to innovative on-the-ground measures such as constructed gravel wetlands and water quality swales, portions of the Moran roof will be renovated into green roofs (pg. II-5, Urban Ecosystems).

The Moran building is historically significant and will be renovated in such a way as to protect the existing form and features of the building (pg. IV-1, City Policies).

Renovation of the vacant Moran building and establishment of the proposed uses will contribute to Burlington's status as a regional growth center and will bring additional jobs and economic vitality into Burlington's downtown waterfront (pg. VI-3, Regional Growth Center & pg. VI-5, Creating New Jobs).

Redevelopment of the Moran is cited in the Economic Development Action Plan (pg. VI-13, Economic Development Action Plan).

The renovated and new structures included in this proposal will meet or exceed the city's current energy efficiency standards. The renovated Moran is one of the few projects to actually incorporate a renewable resource into its climate control system (pg. VIII-1, City Policies).
(Affirmative finding)

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

This project contains no residential component and will have no adverse impact on the present or projected housing needs of the city. **(Affirmative finding)**

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

Much of the proposal constitutes an expansion and upgrade of city parkland and facilities. No undue adverse impacts on city parkland are anticipated as a result of this project. Parks impact fees may be waived for this project based on the value of proposed capital improvements associated with this project.

Although not included in this proposal, existing informal pedestrian paths from the Urban Reserve extend into the development site. As recommended by the Conservation Board, the applicant is encouraged to work with the Parks and Recreation Department on coordinating pedestrian access into the Urban Reserve. **(Affirmative finding as conditioned)**

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 District. This zone is intended to enhance and diversify commercial and residential development in the downtown waterfront area with an emphasis on enhanced community access to the lakeshore. This project will enhance community parkland along the waterfront and will incorporate a variety of recreational and cultural uses, both indoors and out. Two of the uses, the sailing center and the maritime museum, directly relate to the property's waterfront location. The project appropriately relates to the intent of this district. **(Affirmative finding)**

(b) Dimensional Standards & Density

A FAR of 2 is allowed in the DW-PT zone. The 8+ acre property allows 723,380 sf building area. A total of 57,488 sf building area (or 0.159 FAR) is proposed and is acceptable.

There is no lot coverage limit in the DW-PT zone. The project will result in 60% lot coverage.

No setbacks apply to this site except for a 50' setback from the lakeshore. The proposed sailing center building complies with this setback requirement.

The overall height of the Moran building will remain unchanged; however, some additions to the building will project above 35'. The proposed sailing center building will be 35' tall to the top of the warehouse component and 37' to the top of the classroom and office space component. The height limit in the DW-PT zone is 35'; however, construction above this limit may be allowed per Sec. 5.2.6 (b) *Exceptions to Height Limits*, 1. This exception allows new construction to exceed the district's height limit on parcels with existing buildings (in this case, the Moran) that exceed the height limit. The new construction cannot exceed the height of the existing structure. Both the additions to the Moran and the new sailing center building remain below the existing height of the Moran building. **(Affirmative finding)**

(c) Permitted & Conditional Uses

See Sec. 4.4.1 (d) 2, *Public Trust Restrictions, A, Permitted Uses: North of Main Street*.

(d) District Specific Regulations

1. Use Restrictions

A. Ground Floor Residential Uses Restricted

No residential use is included in this proposal. **(Affirmative finding)**

B. Residential/Nonresidential Mix Required

As noted above, no residential use is included in this proposal. Office use is accessory to the proposed primary uses and accounts for far less than 75% of the total use, the maximum allowable in the DW-PT zone. **(Affirmative finding)**

2. Public Trust Restrictions

A. Permitted Uses: North of Main Street

The proposed uses – indoor and outdoor recreation, museum, restaurant, café, and sailing center – are permitted in this portion of the DW-PT zone. **(Affirmative finding)**

3. Facades and Setbacks on Side and Rear Property Lines

Not applicable.

4. Building Height Setbacks

Not applicable.

5. Lake Champlain Waterfront Setbacks

The Moran building sits within the waterfront setback; however, the degree of encroachment will not change. The proposed sailing center building complies with the 50' waterfront setback. Site improvements such as walkways, patios, benches, etc. associated with the project are permitted encroachments per criterion C of this section. **(Affirmative finding)**

6. Development Bonuses/Additional Allowances

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.1 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.1 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.1 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.1 (b) above.

Sec. 5.4.8, Historic Buildings and Sites

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

Information included within a study provided to the city in 2005 offers the following information:
“Analysis was given regarding the feasibility of listing the properties[Moran complex] individually

or as a district onto the National Register of Historic Places. The finding of this study is that all of the electricity generating buildings on the waterfront are historically significant and would likely qualify for individual listing, although the application will be stronger if they are listed as a district. The finding of the significance stems from the age of the buildings, the importance of their purpose to the community, and the growing rarity of buildings of these configurations.”¹ This supports eligibility requirements for the Moran structure as defined by this section of the ordinance.

(b) Standards and Guidelines:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The application, while proposing new use, strives to maintain those building details, massing, and materials that are characteristic of the power generating facility. **(Affirmative finding)**

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

Significant effort has been made to retain massing, spatial relationships, and materials associated with the Moran building. If historic tax credits are sought, extensive review and compliance with these criteria will be essential to secure funding. **(Affirmative finding)**

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

Alterations proposed for the Moran building are distinctly identifiable, and distinguishable from the original structure. No conjectural features are proposed. **(Affirmative finding)**

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

Significant effort has been made to assure the retention of important and character defining features of the Moran building in order to allow reasonable interpretation of the structure by the public in its proposed new use. **(Affirmative finding)**

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

See above.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide*

¹ New England Preservation Collaborative, Inc., *Assessment of Historic Electricity Generating Facilities on the Burlington Waterfront*. Essex Junction, 2005, p. 2.

for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.

Project proponents have diligently committed their efforts toward building repair, component replacement, and commemorative acknowledgement of original building details. The original building superstructure will be clearly evident in project implementation, with exposed steel, brick veneer infill, and window replacement. **(Affirmative finding)**

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Abatement of asbestos and lead paint as well as other hazardous materials has required significant attention, but no actions are proposed that will affect the integrity of the building mass.

(Affirmative finding)

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

None identified.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The plan reflects considerable and attentive analysis of the qualities of the existing vacant electric generating facility and the thoughtful re-use of the structure. There is clear discernment between the original building mass and details and the proposed alterations that will both inform the public of what is old and new and present a pleasing and highly functional new structure. **(Affirmative finding)**

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Although unlikely, it is possible to imagine the proposed improvements to be reversible. As it now exists, the Moran structure is an empty, looming hulk of a building. **(Affirmative finding)**

Sec. 5.4.9, Brownfield Remediation

While this site is included on the Vermont DEC's Hazardous Site List, no waivers under this section are sought for the development.

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

An outdoor lighting plan has been submitted and includes fixture cutsheets, location, and a photometric analysis. Fixtures will utilize acceptable metal halide bulbs and, possibly, LED. All fixtures are cutoff.

Building entry illumination levels are below the maximum permissible 5.0 footcandles. Parking and circulation area illumination levels are acceptable with maximum illumination levels below 4.0 footcandles and a 20:1 uniformity ratio. New lighting will be installed along Lake Street subject to BED standards. Walkway lighting levels exceed the standards for walkways under this Section; however, they are an integral part of an outdoor recreation facility. As such, walkway lighting levels can be viewed under the standards for Outdoor Recreational Facility Lighting and are acceptable. Point-by-point photometric data is available for the sailing center building and storage yard. As recommended by the Conservation Board, illumination is not projected towards the adjacent wetland to the north. Illumination levels are acceptable as Security Lighting under this criterion. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

Significant stormwater improvements are proposed. These consist of several onsite measures, including two constructed gravel wetlands, a water quality swale, and green roofs. The measures will serve to collect and attenuate stormwater runoff prior to discharge. Discharge will occur in reduced volumes at reduced rates with cleaner water. The proposed stormwater measures have been reviewed and approved by the Conservation Board. Approval by the Stormwater Administrator per Chapter 26 of the City Code of Ordinances is pending. **(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 site contains no significant natural areas as identified in the Open Space Protection Plan. While the site is along the Lake Champlain waterfront, it (and the rest of the downtown waterfront) is not included in the Riparian and Littoral Conservation Zone.

A wetland has developed within the site of a former fuel storage tank at the northern end of the project site and will be impacted by the proposed sailing center building. As a class 3 wetland, it is not subject to review under the wetlands criteria of the Natural Resource Protection Overlay District; however, an Individual Permit from the U.S. Army Corps of Engineers is required. The Conservation Board has requested that it be involved in that process and be allowed to comment, particularly on proposed mitigation measures.

Several trees will be removed; however, none are specimen trees or otherwise significant. Tree loss will be offset by the 120 new trees included in the landscaping proposal. **(Affirmative finding as conditioned)**

(b) Topographical alterations

The existing site is generally flat and will remain so. An existing elevated parking lot behind the Water Department pump station will be removed and leveled as part of a new, larger parking area.

A portion of the class 3 wetland will be filled as part of the sailing center construction. Stormwater management will also entail some grading, particularly for swales. Topographical alterations are insignificant. **(Affirmative finding)**

(c) Protection of important public views

There are significant public views from the project site across the lake and towards the Adirondacks. There are also significant public views across the site from Battery Park. Existing public views will not be adversely impacted by the renovated Moran or by the new sailing center building. **(Affirmative finding)**

(d) Protection of important cultural resources

The project site is located on fill soils. The site has no archaeological significance. The Moran building is historically significant as noted under Sec. 5.4.8 (above) and 6.3.2 (b) below. **(Affirmative finding)**

(e) Supporting the use of alternative energy

No alternative energies will be incorporated into the site design. Potential remains for incorporation thereof in the future. Alternative energy usage in the buildings is addressed in Sec. 6.3.2 (f). **(Affirmative finding)**

(f) Brownfield sites

The site is included on the Vermont DEC Hazardous Site List. The Existing Conditions Plan outlines areas of contaminated soils onsite, tied largely to the property's former status as a coal-fired power plant. A corrective action plan (CAP) has been established and implemented for the interior of the Moran building. Such a plan has not been executed for the site; however, it is anticipated that the corrective action will amount to capping contaminated soils in place. A state-approved CAP for the site is required. **(Affirmative finding as conditioned)**

(g) Provide for nature's events

See Sec. 5.5.3 for stormwater management. There is sufficient room onsite for snow storage. Meltwater will be handled by the stormwater system. Building entries are sheltered. **(Affirmative finding)**

(h) Building location and orientation

The location of the Moran building will not change. What is effectively a rear entryway facing Lake Street will be completely overhauled as the primary entrance into the structure. The proposed changes result in a clearly articulated main entrance facing the public street. The new sailing center building will also have a front entry facing the public street. This front entry is reasonably well articulated with signage, logo, and overhang. **(Affirmative finding)**

(i) Vehicular access

As noted previously, four points of vehicular access will be provided into the site. Curb cuts and turn radii are designed to accommodate standard passenger vehicles as well as vehicles pulling trailers. Service access for the Moran will be located on the south side of the building with another exhibit loading space on the north elevation. Overhead doors will provide service and boat access into the sailing center building. **(Affirmative finding)**

(j) Pedestrian access

As required, pedestrians will be provided with a direct walkway connection between the public sidewalk and the Moran's main entrance. The parking areas have direct access to walkways providing a pedestrian link to the building. Striping is proposed where the sidewalk crosses the two driveways. The sailing center's front entrance will have direct access to the new public sidewalk extended along Lake Street. **(Affirmative finding)**

(k) Accessibility for the handicapped

Several handicap parking spaces are depicted on the plans. They are located immediately adjacent to walkways linking to the Moran's main entrance. It is the applicant's responsibility to comply with all applicable ADA requirements. **(Affirmative finding as conditioned)**

(l) Parking and circulation

The existing Moran building is set close to the lake and relatively far from the road. As a result, space for parking is available between the building and the road. This parking will serve the sailing center as well. As proposed, all of the new parking will be provided between Lake Street and the Water Department pump station. No off-street parking will be located between the Moran or the sailing center and Lake Street. A row of honey locust trees will be planted between the eastern edge of the parking area and Lake Street. Fencing and/or additional plantings, especially shrubbery, should be installed to enhance screening of the parking area. Offstreet parking is split into several areas separated by landscaping, although the two largest parking areas exceed the 20 space limit recommended by this criterion. The reconstructed Lake Street will contain parallel and angled parking and will be lined with new street trees.

Interior parking spaces and associated site circulation are laid out such that vehicles will not back out onto Lake Street. Angled parking spaces along Lake Street obviously will require backing out. Vehicles backing out at the northern end of Lake Street will likely conflict with the nearby bike path. As noted previously, this potential circulation problem needs to be addressed and corrected. All parking areas appear to be curbed.

As noted previously, 120 new trees are proposed in and around the parking areas and reconstructed Lake Street. As recommended by this criterion, 30% shading of the parking areas will be achieved with the newly planted trees. The interior parking area, containing 71 parking spaces, requires 1 shade tree per every 5 parking spaces. More than the required 14 shade trees are proposed. Proposed caliper size at the time of planting (2.5" – 3.5") is acceptable as is the anticipated mature canopy diameter of 35'. **(Affirmative finding as conditioned)**

(m) Landscaping and fences

A comprehensive landscaping plan has been provided and consists of a variety of trees, shrubs, and flowers. Some elements of the landscaping plan provide screening whereas others are integrated into the stormwater management system. Other elements provide visual interest to the site and help to define distinct spaces within the site. As noted previously, additional screening of the parking areas from the street is needed. The street trees proposed along Lake Street are subject to review and approval by the City Arborist. **(Affirmative finding as conditioned)**

(n) Public plazas and open space

The site is open to the public and essentially will function as a city park. Much of the site receives ample solar exposure and provides access to the lakefront. Plazas and walkways throughout facilitate pedestrian circulation and utilization of the site. A large fountain will serve as a summer

time splash area and a winter time skating rink. Details on hardscaping elements such as benches, sitting walls, and outdoor furniture have been provided and are similar to those used elsewhere in city parks. **(Affirmative finding)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

No new ground-mounted mechanical equipment is proposed. The ground floor plan depicts a large mechanical room. A dumpster enclosure located along the northern side of the BED building will serve the Moran. A dumpster enclosure for the sailing center will be located at the northeastern end of the storage yard. While not an ideal location close to the bike path, the dumpster will be enclosed and screened. The orientation of the enclosure is to be modified to face the north elevation of the building. This revision needs to be depicted on the site plans. Any new utility lines must be buried. The existing electrical transformer station will be removed as part of this project. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards (Moran Plant)

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The massing, height, and scale of the existing structure – originally a power plant – will remain largely unchanged. A new entryway enclosure will be added to the east elevation, and two upper story additions will be constructed on existing building decks. A small ground level addition will be constructed at the northwest corner of the building. The steel apparatus on the north elevation will be removed; however, some new steel beams will be installed in its place. The changes to the building mass are relatively modest and do not significantly affect the overall scale of the structure. **(Affirmative finding)**

2. Roofs and Rooflines

The existing building is a multi-level flat roof structure. Proposed additions will also have flat roofs. **(Affirmative finding)**

3. Building Openings

Most of the windows in the existing structure are broken or boarded-up. All windows will be replaced within the existing window openings. The few additions to the structure will have extensive glazing. While window styles differ somewhat, they are sympathetic to the industrial nature of the building. As noted previously, a new primary entrance will be constructed on the building's eastern elevation. The proposed entrance is well articulated and easily identifiable from Lake Street. Because it is enclosed, the entrance will provide shelter from the weather. **(Affirmative finding)**

(b) Protection of important architectural resources

The existing building is not included on any historic register; however, it is eligible for listing. The building is clearly industrial in appearance. The proposed renovations respect the essential form and appearance of the structure. Additions to the structure are clearly not part of the original building but are stylistically sympathetic. See also Sec. 5.4.8. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The existing building was constructed as a power plant standing alone at the northern end of the downtown waterfront. It was not constructed as an active, pedestrian oriented facility. The proposed renovations do much to improve the attractiveness and pedestrian-friendliness of the building. Site work draws people into the building and associated amenities. The eastern elevation will be transformed from a rather bleak, faceless façade into the primary entrance.

(Affirmative finding)

(e) Quality of materials

The existing brick sheathing will remain. Additions to the structure will be clad in a variety of materials such as copper siding, wood, and some fiber cement panels. New windows will be metal framed. These materials are durable and of acceptable quality. **(Affirmative finding)**

(f) Reduce energy utilization

As noted previously, the building has significant solar exposure. Ample sunlight will penetrate the interior of the building. The renovated building will comply with the city's current energy efficiency requirements. **(Affirmative finding)**

(g) Make advertising features complimentary to the site

See Sec. 3.5.6 (9).

(h) Integrate infrastructure into the building design

No rooftop mechanical equipment is proposed. Only a rooftop hatch and an elevator vent are depicted on the top roof deck. **(Affirmative finding)**

(i) Make spaces safe and secure

Revamped building entrances are clearly visible and will be acceptably ventilated. The building appears to be readily accessible by emergency vehicles as demonstrated on access and circulation plans. Written approval of the Fire Marshal regarding the building's accessibility by emergency service vehicles is required. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards (Community Sailing Center)

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

A minimalist aesthetic appears to be fundamental inspiration for the sailing center, which remains an unadorned box with little or no articulation on three facades despite input by the Design Advisory Board. The applicant has expressed the subordinate design as an intentional effort to play off the larger Moran building. As visually articulated, the structure in scale and presentation remains the minor key in the overall development. While the DAB took specific issue with the building design of the sailing center, the Development Review Board acknowledges the building's utilitarian intent and its consistency with the industrial history of the downtown waterfront. Design emphasis has been placed on the classroom/office section of the building whereas the warehouse component of the building is clearly secondary in appearance. **(Affirmative finding)**

2. Roofs and Rooflines

A flat roof with skylights is proposed. Flat roofs are common at this end of the downtown waterfront. A couple of small vents for restroom facilities are also depicted. **(Affirmative finding)**

3. Building Openings

Vehicle and pedestrian doors are proposed for the east elevation (off Lake Street and the bike path), with another vehicle opening and ground level entrance on the west. There will be a doorway from the third floor onto an observation deck on the south façade, as well as an opening on the upper level of the “lifeguard tower” on the west. Depiction is needed. **(Affirmative finding as conditioned)**

(b) Protection of Important Architectural Resources:

None identified onsite relative to the CSC. **(Not applicable.)**

(c) Protection of Important Public Views:

The development of this site will enhance the public’s opportunity to enjoy the spectacular views and vista from the waterfront. **(Affirmative finding)**

(d) Provide an active and inviting street edge:

The proposed structure is largely plain and simple; the design reflects its utilitarian storage function. The exception is the southern classroom and office component. Insofar as this component is visible from the public street and an entrance therein directly faces the street, the structure’s street edge can be deemed acceptable. **(Affirmative finding)**

(e) Quality of materials:

The proposed siding is vertical corrugated steel with a 35-year Kynar exterior finish. Spandrels on the porch area will be steel with aluminum and PVC trim. Fiber cement is proposed for canopy and tower trim, observation deck spandrel panels, and fascia. While not exceptionally durable or high quality, the proposed materials are acceptable for new construction. **(Affirmative finding)**

(f) Reduce energy utilization:

The proposed building must comply with the city’s current energy efficiency requirements. The proposed skylights will reduce the need for artificial lighting within the warehouse. **(Affirmative finding as conditioned)**

(g) Make advertising features complementary to the site:

A simplified logo graphic is presented for the lakeside and easterly facade. Without lettering, it is not considered a sign. Revised elevations illustrate minor building identification signage on the eastern entry. Any signage (with specific lettering) will require a separate sign permit. **(Affirmative finding as conditioned)**

(h) Integrate infrastructure into the building design:

No ground mounted mechanical equipment is proposed. Utility meters must be depicted and screened. As noted previously, a dumpster will be provided and will be screened. **(Affirmative finding as conditioned)**

(i) Make spaces secure and safe:

All development will be required to meet building and life safety code, as articulated by the Building Inspector and the Fire Marshal. The sailing center building appears to be readily accessible by emergency vehicles; however, written approval of the Fire Marshal regarding the building's accessibility by emergency service vehicles is required. **(Affirmative finding as conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the Downtown parking district. The total parking requirement for the mixed use project is 69 spaces. Total parking proposed for the project, not including new onstreet spaces along Lake Street, is 74 spaces. As recommended by the Conservation Board, the number of parking spaces must be reduced to 69. An additional 35 parking spaces serve exiting nearby uses (BED, Water Department, and Fishing Pier). **(Affirmative finding as conditioned)**

Sec. 8.1.10, Off-Street Loading Requirements

As noted previously, loading areas have been designated for both the Moran and the sailing center. **(Affirmative finding)**

Sec. 8.1.11, Parking Dimensional Requirements

All parking spaces and circulation isles are of adequate dimensions. **(Affirmative finding)**

Sec. 8.1.12, Limitations, Location, Use of Facilities

(a) Off-Site Parking Facilities

Not applicable.

(b) Downtown Street Level Setback

As noted previously, due to the locations of the Moran and Lake Street, parking will be placed between Moran and the street. As proposed, the parking will be set back somewhat from the front property line and the street. **(Affirmative finding)**

(c) Front Yard Parking Restricted

Not applicable.

(d) Shared Parking in Neighborhood Parking Districts

Not applicable.

(e) Single Story Structures in Shared Use Districts

Not applicable.

(f) Joint Use of Facilities

The proposed parking will serve all uses onsite as well as nearby uses. **(Affirmative finding)**

(g) Availability of Facilities

The parking to be constructed as part of this development will be for the exclusive use of employees and visitors. It will not be used for the storage or display of vehicles or materials. **(Affirmative finding)**

(h) Compact Car Parking

Not applicable.

Sec. 8.1.13, Parking for Disabled Persons

A number of handicap parking spaces are proposed and comply with the minimum dimensional requirements and location next to access isles of 5' width. These spaces shall be marked and signed as required for handicap spaces. **(Affirmative finding as conditioned)**

Sec. 8.1.14, Stacked and Tandem Parking Restrictions

Not applicable.

Sec. 8.1.15, Waivers from Parking Requirements/Parking Management Plans

Not applicable.

Sec. 8.2.5, Bicycle Parking Requirements

Both short term and long term bicycle parking is required. The proposal includes 12 long term spaces and 30 short term spaces. The Conservation Board found that the proposed bicycle spaces are inadequate and do not account for the complete variety of uses onsite. In addition to the already-accounted-for uses, bike parking needs to account for parks, restaurant, and parking lot uses onsite. The Board also found that insufficient short term bike parking would be provided by the Moran's main entry. Additional short term bike parking is needed here. Relocation of the long term bike parking elsewhere onsite is acceptable if needed in order to provide additional short term bike parking by the main Moran entrance. The proposed bike parking needs to be recalculated and depicted on revised plans. Confirmation that the recalculated bicycle parking complies with Public Works' "Bicycle Parking Guidelines" is also needed. **(Affirmative finding as conditioned)**

II. MINUTES

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

III. MOTION

Motion: Brad Rabinowitz

I move that the Board grant Certificate of Appropriateness and Major Impact approval for redevelopment of the Moran Plant into public-private uses and associated site works and car parking, including upgrades to the bike path, increased green space and park amenities, children's splash area/seasonal refrigerated skating rink, a rebuilt skate park, and new sailing center facility, located at 475 Lake Street in the DW-PT zone in accordance with Articles 3, 4, 5, 6, and 8. The Board adopts the findings set forth above. Approval is subject to the following conditions:

1. **Prior to release of the zoning permit**, revised plans and/or additional materials shall be submitted, subject to staff review and approval. Revisions and/or additional materials shall include:
 - a) Confirmation of adequate wastewater capacity from the Department of Public Works;

- b) Recalculated bike parking requirements to account for all onsite uses, depiction on the site plans, and confirmation of compliance with Public Works' "Bicycle Parking Guidelines;"
 - c) Placement of additional short term bike parking by the Moran's main entry, associated relocation of long term bike parking is acceptable if needed to accommodate the additional short term bike parking;
 - d) Depiction of just 69 vehicle parking spaces for the new uses (retention of 35 for the existing uses is acceptable);
 - e) Additional screening of the onsite parking area as viewed from Lake Street, including vegetation and/or fencing;
 - f) The reoriented sailing center dumpster enclosure;
 - g) Written approval of the Fire Marshal regarding the Moran's and sailing center's accessibility by emergency service vehicles; and,
 - h) Depiction of the sailing center's doorway from the third floor onto the observation deck on the south façade, as well as the opening on the upper level of the "lifeguard tower" on the west.
2. **Prior to release of the zoning permit**, site circulation (particularly between the bike path, pedestrians, and vehicular circulation isles/drives) shall be revised in coordination with the City's Bicycle & Pedestrian Planner. Emphasis shall be placed on resolving the conflict between vehicles backing out of onstreet parking spaces at the northern end of Lake Street and the close proximity of the bike path. The current circulation proposal does not appear to address the actual needs of the pedestrians and cyclists using the area. Revised circulation shall be subject to Development Review Board review and approval.
 3. This approval incorporates the 12 construction phases articulated in the applicant's July 21, 2010 memorandum to Planning & Zoning and shall allow separate zoning permits and/or certificates of occupancy to be issued to allow for incremental (i.e. phase-by-phase) occupancy of the project. **Prior to release of the zoning permit**, plans explicitly outlining each phase shall be submitted, subject to staff review and approval.
 4. **EPSC Pre-release Condition:** Prior to release of the zoning permit, the applicant shall obtain written approval of the Erosion Prevention and Sediment Control Plan from the Stormwater Administrator. At all times after the initiation of land disturbance, this project must comply with the Chapter 26: Erosion Prevention and Sediment Control conditions of approval (to be obtained prior to the release of the zoning permit). Verification of compliance with these conditions must be obtained from the DPW Stormwater Program prior to the issuance of a Final CO.
 5. **Stormwater Management Plan Pre-release condition:** Prior to the release of the zoning permit, the applicant shall obtain the written approval of the Stormwater Management Plan from the Stormwater Administrator. This project and property must comply with the Chapter 26: Stormwater Management Plan conditions of approval (to be obtained prior to the release of the zoning permit), including any on-going requirements for post-construction operation and maintenance. Verification of compliance with the conditions must be obtained from the DPW Stormwater Program prior to the issuance of a Final CO.
 6. **Prior to construction**, the applicant shall develop an Erosion Prevention Sediment Control plan (EPSC), subject to staff review and approval in consultation with the Department of Public Works. The EPSC shall seek to:
 - a) Prevent erosion and the transport of sediment off lot, onto the public streets and sidewalks, into the municipal stormwater system, and/or waters of the State;

- b) Prevent parking of any construction or construction related vehicles on City owned green space. Damage to green space shall be immediately addressed;
 - c) Take any and all steps necessary to abate erosion and to clean up all resulting sediment deposited, discharged or found to exist off lot, on City streets and sidewalks, and/or in the City stormwater system;
 - d) Maintain project erosion prevention and sediment control devices/measures and perform requisite cleanup of resulting sedimentation. This may include, but is not limited to, daily sweeping of streets and sidewalks and cleaning City stormwater catch basins;
 - e) Specify appropriate seed and fertilizer applications that are ecologically sound and site specific;
 - f) Specify an appropriate mulch when and where needed and adequate anchoring measures to prevent blow away;
 - g) Specify an effective grass re-vegetation program. Turf replacement is recommended in areas where re-vegetation of grass proves difficult with seeding and mulch. To reestablish all existing and proposed green space and where practical consider porous (pervious) pavers;
 - h) Engage the contractor to be proactive in planning and executing construction phase activities with the goal of preventing erosion and controlling sediment;
 - i) Identify the parties to the EPSC plan and clearly define their respective roles and responsibilities including, but not limited to, the contractor, the onsite coordinator, those responsible for project adherence to the EPSC, and those participating in inspections and acceptance of final site stabilization; and,
 - j) Define the overall strategy for the EPSC plan by:
 - a. Limiting actual disturbance area and time of disturbance;
 - b. Employing proper site stabilization (addressing soil preparation for final seeding and landscaping, seed, pesticide/herbicide use, and mulch);
 - c. Specifying stone and/or grass swale lining where appropriate;
 - d. Specifying where necessary to employ erosion control blankets or mats;
 - e. Specifying locations for silt fence and construction barrier fence; and,
 - f. Specifying catch basin inlet protection during construction clean up and maintenance and after construction system operation and maintenance.
7. **Prior to and during construction**, erosion control measures shall be installed and maintained in accordance with EPSC plan established with this permit approval. At a minimum, the project EPSC plan shall:
- (a) identify the contractor who is responsible for installing, implementing, and maintaining the EPSC plan and measures;
 - (b) identify the onsite contractor who is responsible for the day-to-day monitoring, oversight, and inspections required by the EPSC plan;
 - (c) assure that any amendments to the project EPSC plan are filed with the Department of Public Works and the Development Review Board;
 - (d) provide that the erosion control measures remain in place until vegetation has become established on all disturbed surfaces and clearly identify under what conditions final site stabilization has occurred; and,
 - (e) provide a process whereby the Department of Public Works and/or the Department of Planning & Zoning participate in the final site stabilization program.
8. **Prior to issuance of a certificate of occupancy**, the project engineer must certify in writing that, among other things, the project EPSC plan as approved by the Department of

Public Works has been complied with and final site stabilization has occurred. This certification shall be filed with the Department of Planning & Zoning.

9. 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 and/or converted square footage of the proposed development.
10. The applicant shall meet with the Conservation Board to address the wetlands Individual Permit process with the U.S. Army Corps of Engineers and shall allow for Board comment prior to issuance of the Individual Permit.
11. The applicant shall coordinate with the Department of Parks & Recreation on pedestrian access (both formal and informal) into the Urban Reserve.
12. A State of Vermont wastewater permit is required.
13. A State of Vermont approved Corrective Action Plan for the site is required.
14. All new utility lines shall be buried.
15. All outdoor signage is subject to a separate zoning permit.
16. The proposed structure shall comply with Burlington's current energy efficiency standards and with Burlington's current ingress and egress requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
17. It is the applicant's responsibility to comply with all applicable ADA requirements. Handicap parking spaces shall be marked and signed as required.
18. This property is subject to all applicable nuisance regulations and performance standards in the Burlington Code of Ordinances.
19. Standard permit conditions 1 -18.

Seconded: Jonathan Stevens

Vote: 6-0-0, motion carried

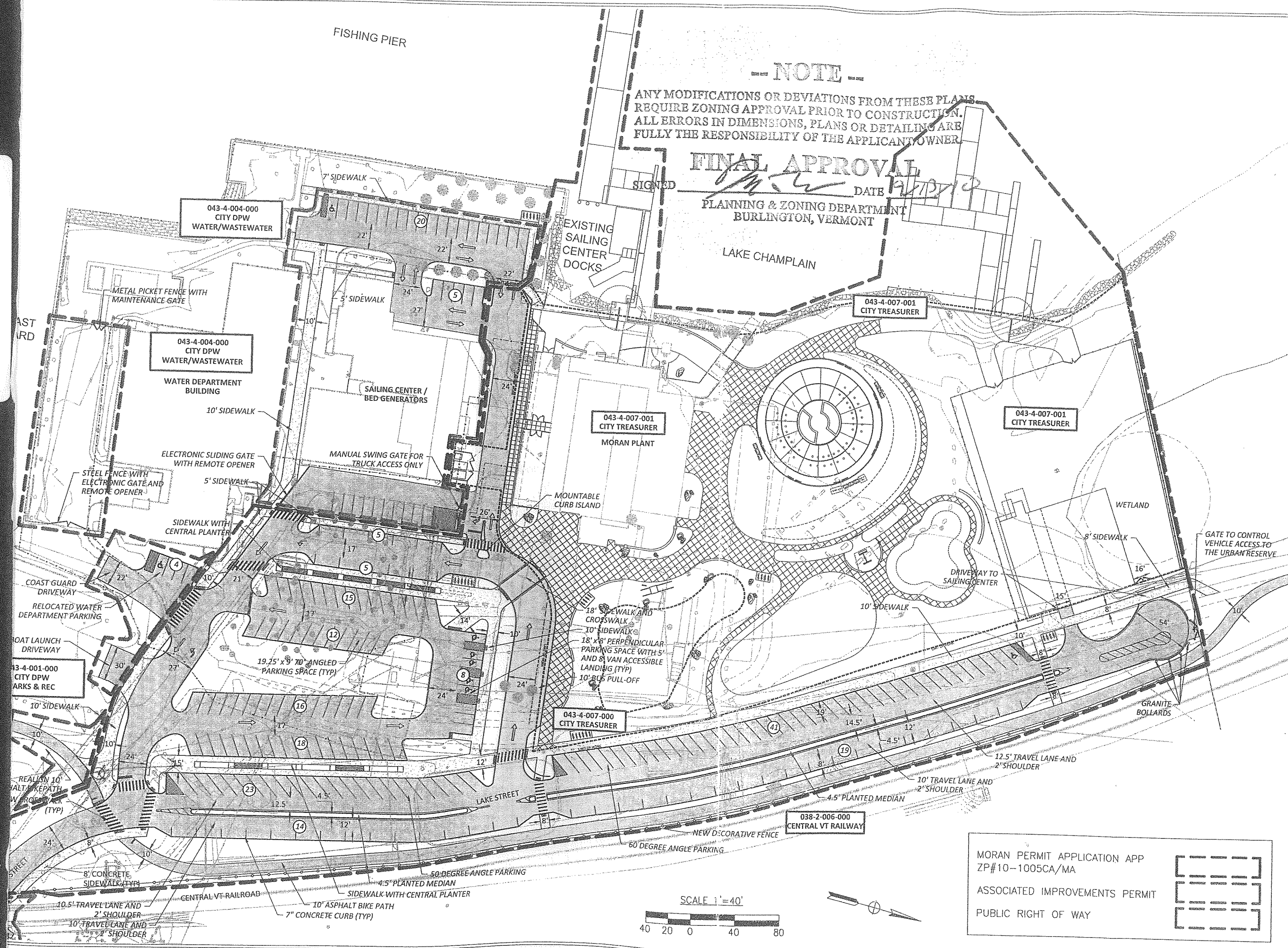
Dated at Burlington, Vermont, this 17th day of August, 2010.

Respectfully Submitted,


Michael Long, Acting 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.

MORAN JUNIOR
Full plan set



-- 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 *12/12/10*
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT



WATERFRONT ACCESS /
LAKE STREET EXTENSION
STP5000 (17) C-5
BURLINGTON, VERMONT

CITY OF BURLINGTON
Community & Economic Development Office
Burlington City Hall
149 Church Street
Burlington, VT 05401
Ph: (802) 865-7144

Department of Public Works
PO Box 649
Burlington, VT 05402
Ph: (802) 863-9094

VT AGENCY OF TRANSPORTATION
Local Transportation Facilities
National Life Building, Drawer 33
Montpelier, VT 05633

FEDERAL HIGHWAY ADMINISTRATION
P. O. Box 568
Montpelier, VT 05601-0568

DESIGN TEAM

RESOURCE SYSTEMS GROUP - PRIME
55 Railroad Row
White River Junction, VT 05001
Ph: (802) 295-4999

ENGINEERING VENTURES - SITE/CIVIL
208 Flynn Avenue, Suite 2A
Burlington, VT 05401
Ph: (802) 863-6225

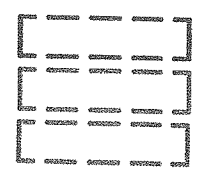
SE GROUP - LANDSCAPE ARCHITECT
131 Church Street
Burlington, VT 05401
Ph: (802) 862-0098

REVISIONS

DATE	DESCRIPTION	BY

ZONING
APPLICATION
SITE PLAN

MORAN PERMIT APPLICATION APP
ZP#10-1005CA/MA
ASSOCIATED IMPROVEMENTS PERMIT
PUBLIC RIGHT OF WAY



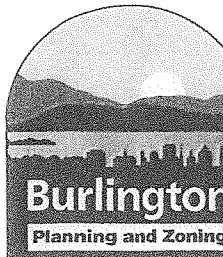
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40 20 0 40 80

SCALE: 1"=40' SHEET
DESIGNED BY: JOA
DRAWN BY: CDM
CHECKED BY: JDS
DATE: 09/02/10
PROJ. NO.: STP5000 (17) C5

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
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David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



Burlington Development Review Board

Minutes/Findings of Fact
September 19, 2011

In RE: 10-1005CA/MA & 10-1115CA; 475 & 0 Lake St. (Ward 3, DW-PT) (Tax Lot No. 043-4-007-001 & 043-4-004-000)

Owner/Applicant: City of Burlington

Request: Site amendments to previous approval for the redevelopment of the Moran Plant into public-private uses and associated site works, road work, and car parking.

Members Present:

Michael Long
Jonathan Stevens
Brad Rabinowitz
Bob Schwartz
Kevin Stapleton

Evidence Presented:

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

I. FINDINGS

Background Information:

The applicant is requesting approval for site amendments to the previous approval for the redevelopment of the Moran Plant into public-private uses and associated site works, road work, and car parking. The scope and character of the project remain essentially unchanged. The requested amendments pertain largely to parking and landscaping modifications. As two properties are involved, the requested amendment entails two permits. They are addressed together in these findings.

Previous zoning actions for this property are noted below.

- 4/29/11, Approval to relocate boat storage yard fence
- 8/17/10, Approval for comprehensive site redevelopment and installation of sailing center, skate park, and associated recreational facilities
- 8/2/10, Approval of lot line adjustment
- 6/25/09, Approval (non-applicability form) for interior clean-up of Moran building
- 5/1/09, Approval to install a seasonal tent for sailing classes
- 5/24/09, Approval of parallel sign for sailing center
- 5/9/08, Approval to relocate sailing center from Moran to DPW Pumping Station
- 7/29/02, Approval of parallel sign for sailing center

- 4/19/01, Approval to install portable restroom and fencing at skate park
- 5/21/00, Approval to install signage at skate park
- 8/26/99, Approval to install fishing pier
- 4/5/99, Approval of skate park
- 1/23/97, Approval to remove nonstructural ladder from Moran
- 7/14/94, Approval to modify access into the sailing center
- 5/27/93, Approval of sailing center
- 8/9/90, Approval to remove “car shaker” structure and replace with fill and grade
- 6/14/90, Approval for Moran site work
- 6/14/90, Approval of temporary International Sculpture Symposium

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 site contains no significant natural areas as identified in the Open Space Protection Plan. A class 3 wetland onsite will be impacted by the proposed sailing center building; however, impacts are not affected by the proposed site amendments. **(Affirmative finding)**

(b) Topographical alterations

The existing site is generally flat and will remain so. The proposed site amendments entail some changes to stormwater drainage, particularly the constructed gravel wetland in the center island of the Moran parking lot. Rather than being long and linear, the constructed wetland will now be short and rectangular. The change is the result of a shallow water main nearby. In general, grading changes are insignificant. **(Affirmative finding)**

(c) Protection of important public views

There are significant public views from the project site across the lake and towards the Adirondacks. There are also significant public views across the site from Battery Park. The proposed site changes do not impact these important public views. **(Affirmative finding)**

(d) Protection of important cultural resources

The project site is located on fill soils. The site has no archaeological significance. The proposed site changes have no impact on any cultural resources. **(Affirmative finding)**

(e) Supporting the use of alternative energy

No alternative energies were incorporated into the original site design. None are included in the amendments. Potential remains for future implementation. **(Affirmative finding)**

(f) Brownfield sites

The site is included on the Vermont DEC Hazardous Site List; however, the proposed site changes have no bearing on the associated Corrective Action Plans (CAP) for the property. **(Affirmative finding)**

(g) Provide for nature's events

As noted previously, the proposed site changes include modification to the proposed gravel wetland in the center island of the Moran parking lot. The revised design is subject to review and approval by the Stormwater Administrator per Chapter 26 of the City Code of Ordinances. **(Affirmative finding as conditioned)**

(h) Building location and orientation

The proposed site changes do not affect the location or orientation of buildings. **(Affirmative finding)**

(i) Vehicular access

The proposed site changes have virtually no impact on vehicular access. One small change entails the replacement of a gate with removable bollards north of the Water Department/BED parking row. **(Affirmative finding)**

(j) Pedestrian access

As with vehicular access, pedestrian access remains almost entirely unchanged; however, the originally proposed crosswalk across the railroad has been deleted. The sidewalk along Lake Street will continue to lead up to the tracks and will continue towards Moran on the other side; however, the applicants have been unable to obtain permission from the railroad to actually construct a cross walk across the tracks. As with similar crossings, the rubber pad between the tracks will remain and will provide a smooth surface for pedestrians to walk across. **(Affirmative finding)**

(k) Accessibility for the handicapped

Handicap accessibility remains essentially unchanged. **(Affirmative finding)**

(l) Parking and circulation

The proposed site revisions entail a number of changes to parking layout and location. A strip of parking spaces along the eastern side of Lake Street has been deleted. Parking spaces have been re-angled along the western side of Lake Street. Four parking spaces will be added to the Moran parking lot, and four existing parking spaces at the southern end of the fishing pier parking lot will be retained. All of these modifications result in a net loss of just 4 parking spaces. Onsite parking remains acceptable per the standards of Article 8, *Parking*. As the modifications entail the addition of 4 parking spaces to the Moran parking lot, the applicants are requesting the deletion of condition 1 (d) from the original approval that required a limit of just 69 spaces in this parking lot. Given the overall reduction in surface parking associated with this amendment, the increase of 4 spaces in Moran's parking lot is acceptable. **(Affirmative finding)**

(m) Landscaping and fences

Landscaping changes are limited mostly to tree plantings. Along with the reconfiguration of the constructed gravel wetland in the center island of the Moran parking lot, 6 trees will be deleted due to the shallow water main underneath. Two trees will be added near the Coast Guard driveway. The number of new street trees along Lake Street will be reduced. The modified street tree plan for Lake Street is subject to review and approval by the City Arborist. Some fencing changes are proposed and entail the deletion of a fence and gate in the rear Water Department parking lot. **(Affirmative finding as conditioned)**

(n) Public plazas and open space

Public plazas and open space onsite will remain largely unchanged. Note that the skate park area will increase to 19,700 sf. **(Affirmative finding)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

There are no significant changes to mechanical equipment, utilities, dumpsters, or similar features. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

Not applicable.

II. MINUTES

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

III. MOTION

Motion: Brad Rabinowitz

I move that the Board grant approval for site amendments to the previous approval for the redevelopment of the Moran Plant into public-private uses and associated site works, road work, and car parking, located at 475 & 0 Lake Street in the DW-PT zone in accordance with Article 6. Approval is subject to the following conditions:

1. Except as specifically modified in this amendment, all conditions of the August 17, 2010 approval for zoning permits 10-005CA/MA and 10-1115CA remain in effect.
2. **Prior to release of the zoning permit:**
 - a. The amended stormwater management system shall be reviewed and approved by the Stormwater Administrator.
 - b. The amended Lake Street tree planting plan shall be reviewed and approved by the City Arborist.
 - c. A revised site plan shall be submitted that depicts the sidewalk at the northern turnaround of Lake Street placed outside of the roadway circle as per the site circulation plan approved by the DRB on September 13, 2010.
3. Standard permit conditions 1-18.

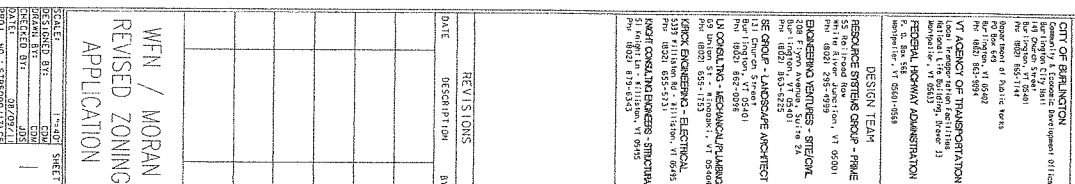
Seconded: Jonathan Stevens

Vote: 5-0-0, motion carried

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.

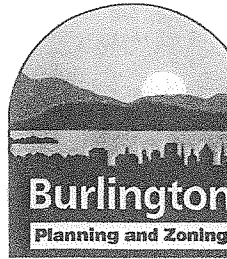
Received by CM Shepino
Date: 9/2/11



Department of Planning and Zoning

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Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



Burlington Development Review Board

Minutes/Findings of Fact
March 2, 2011

In RE: 11-0570CA/CU; 0 Lake St. (Ward 3, UR) (Tax Lot No. 038-2-006-000)

Owner/Applicant: City of Burlington / CEDO

Request: Use area for temporary construction staging during Waterfront North and Moran construction, including temporary interim skating facility.

Members Present:

Austin Hart
Jonathan Stevens
Kevin Stapleton
Paul Henninge

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

I. FINDINGS

Background Information:

The applicant is seeking approval to use two portions of the urban reserve for staging and soil storage areas for the construction of the Waterfront North and associated Moran redevelopment projects. Temporary chain link fencing to enclose the staging and stockpile areas and a temporary skating rink are also included in the proposal. The duration of the requested activity is 2 years.

The Conservation Board reviewed and approved this project February 7, 2011, with the following conditions:

1. Recreational access to the Urban Reserve should be continuous.
2. Dust control measures should be used during construction.
3. Parking areas associated with construction activity should be clarified and delineated.

Condition 1 pertains to keeping the bike path open and to retaining access to the network of informal trails in the Urban Reserve. This condition will be addressed in construction documents and may also include onsite signage.

Condition 2 is aimed at controlling dust as it may impact users of the bike path and other public users of the Urban Reserve. Dust control measures will be incorporated into construction documents.

Condition 3 is aimed primarily at keeping parked vehicles off of the bike path. It should be reflected in a revised site plan that clearly depicts where contractors and associated workers should park during project construction.

Previous zoning permit actions for this site.

- 1/1910, 2-year approval for winter snow storage for the Dept. of Public Works

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

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

The temporary staging and stockpile areas will have limited impact on existing community facilities and will facilitate the construction of new community facilities. As recommended by the Conservation Board, measures are needed to ensure that the bike path (and other informal trails) remains open to continuous public use and free from unreasonable dust and contractor vehicle parking. Care must also be taken to keep dirt from construction vehicles off of the bike path. To ensure the safety of users, a specific plan is needed that details how construction vehicles and activities will be separated from the temporary skating rink and from the bike path. **(Affirmative finding as conditioned)**

(2) The character of the area affected;

The sites are bordered primarily by vacant former industrial land in the Urban Reserve. The lake lies to the west. The proposed use is temporary and will have no long term impact on the character of the area. **(Affirmative finding)**

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

Traffic associated with the proposed use will be limited to construction and contractor vehicles. Use of this site close to construction activity will limit the amount of construction traffic on Lake Street. Traffic impacts will be temporary and associated exclusively with the construction of the Waterfront North and Moran redevelopment projects. **(Affirmative finding as conditioned)**

(4) Bylaws then in effect;

As conditioned, the activity complies with all applicable zoning bylaws. **(Affirmative finding)**

(5) Utilization of renewable energy resources;

(Not applicable)

(6) Cumulative impacts of the proposed use;

The proposed use is temporary in nature and will generate no substantial cumulative impacts. **(Affirmative finding)**

(7) Functional family;

(Not applicable)

(8) Vehicular access points;

The two sites are accessed by existing driveways from Lake Street extension. These driveways are sufficient for the temporary use. **(Affirmative finding)**

(9) Signs;

Some directional signage may be installed; however, doing so has not yet been confirmed. Any new signage will be subject to a separate sign permit. **(Affirmative finding as conditioned)**

(10) Mitigation measures;

The proposed use will result in three primary impacts: construction vehicle traffic, dust, and noise. The applicant must submit a plan for separating construction traffic and activity from the skating rink and the bike path. Dust control measures must be implemented during construction activity. Dirt must be kept off of the bike path as well. Noise impacts will be subject to the city's noise ordinance. No activity is proposed beyond the daylight hours. **(Affirmative finding as conditioned)**

(11) Time limits for construction;

The proposed use is temporary and cannot exceed 2 years without an additional zoning permit. **(Affirmative finding as conditioned)**

(12) Hours of operation and construction;

Hours of operation will be tied directly to the hours of construction of the Waterfront North and Moran redevelopment projects. Approval of those projects tied hours of construction to the city's noise ordinance. **(Affirmative finding as conditioned)**

(13) Future enlargement or alterations;

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

(14) Performance standards;

See Sec. 5.5.3 for erosion control measures to be implemented around the soil stockpiles.

(15) Conditions and safeguards;

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

Article 4: Maps & Districts

Sec. 4.4.7, Urban Reserve District:

(a) Purpose

The proposed use is temporary in nature and, as such, avoids making any permanent changes within the Urban Reserve. It is identified as one of several uses that may be allowed in the urban reserve. **(Affirmative finding)**

(b) Dimensional Standards & Density

The proposed use does not include any residential density, FAR, or additional lot coverage. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The temporary staging of off-site construction projects on adjacent properties with no other suitable access is allowed as a conditional use. The temporary skate rink as proposed can be viewed as part of the construction staging area given the need to relocate the existing skate park temporarily to allow improvements to the bike path and satisfaction of funding grant conditions. No new impervious surface will be created. **(Affirmative finding)**

(d) District Specific Regulations

1. Any and all improvements in this district shall be consistent with any and all development and use restrictions and easements as may otherwise be applicable to the property.

The Urban Reserve has been used for construction staging in the past (i.e. for the breakwater). Using it again for temporary staging appears to be consistent with restrictions and easements affecting the property. Written confirmation from the City Attorney's office is needed.

(Affirmative finding as conditioned)

2. Any authorization granted by the DRB shall include a prescribed duration for the activity after which such authority and all related permits shall expire. The DRB may consider an extension of this time period if such a request has been made prior to expiration. No permit should remain in effect for more than 2 years without reapplication and review pursuant to this section.

This zoning permit approval is valid for 2 years. If the use is to continue beyond that time frame, an additional permit will be needed. **(Affirmative finding as conditioned)**

3. As a condition of any approval by the DRB for projects involving temporary construction staging or seasonal snow storage, the site shall be restored to its prior condition once the temporary activity has been completed for which the DRB may require a bond or other necessary surety in a form satisfactory to the city attorney.

Following completion of the use, the site must be cleaned of any trash, debris, or leftover soils (from the stockpiles). The fence shall be removed. No financial surety is required. **(Affirmative finding as conditioned)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

(Not applicable)

Sec. 5.2.4, Buildable Area Calculation

(Not applicable)

Sec. 5.2.5, Setbacks

(Not applicable)

Sec. 5.2.6, Building Height Limits

(Not applicable)

Sec. 5.2.7, Density and Intensity of Development Calculations

(Not applicable)

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. The city's noise ordinance will govern noise impacts. **(Affirmative finding as conditioned)**

Sec. 5.5.2, Outdoor Lighting

(Not applicable)

Sec. 5.5.3, Stormwater and Erosion Control

No new impervious area is included. The soil stockpiles are located relatively far from the lakeshore; however, preventative erosion control measures will be needed in order to ensure that sediment does not reach the lake. Such erosion control measures shall be provided and will be subject to review and approval by the Stormwater Administrator. The potentially contaminated soils to be stored are part of a site that is currently being managed pursuant to a corrective action plan approved by the Vermont Department of Environmental Conservation. The applicant shall comply with the requirements of the corrective action plan, as it may be revised with the approval of the DEC. **(Affirmative finding as conditioned)**

II. MINUTES

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

III. MOTION

Motion: Austin Hart

I move that the Board grant Conditional Use and Certificate of Appropriateness approval for temporary construction staging during Waterfront North and Moran construction, located at 0 Lake Street in the UR zone in accordance with Articles 3, 4, and 5. Approval is subject to the following conditions:

1. **Prior to release of the zoning permit**, written verification from the City Attorney that there are no legal restrictions precluding the proposed use shall be provided, subject to staff review and approval.
2. **Prior to release of the zoning permit**, a revised site plan clearly depicting contractor vehicle parking areas shall be submitted, subject to staff review and approval.
3. **Prior to release of the zoning permit**, a specific plan showing how construction vehicles and construction activities will be separated from the temporary skating rink and from the bike path shall be submitted, subject to staff review and approval.
4. **Prior to release of the zoning permit**, an erosion control plan shall be submitted, subject to review and approval by the Stormwater Administrator.
5. Following completion of the use, all fencing, debris, trash and leftover soils shall be removed from the site, and the site shall be returned to its original condition.
6. Measures to control dust and to keep dirt from construction vehicles off of the bike path shall be implemented during construction. **Such measures shall be subject to review and approval by the Department of Public Works.**
7. Continuous public access to the bike path and informal trails within the Urban Reserve shall be provided for the duration of construction activity.
8. All outdoor signage is subject to a separate zoning permit.
9. Noise associated with this use shall be subject to the city's Noise Ordinance.
10. The applicant shall comply with the corrective action plan for the site as approved by the Vermont Department of Environmental Conservation.
11. **This permit approval is valid for 2 years only.** Continued use of the site for construction staging and soil stockpiling beyond 2 years will require a new zoning permit per Sec. 4.4.7 (d), *District Specific Regulations*, of the Comprehensive Development Ordinance.
12. Standard conditions 1-18.

Seconded: Jonathan Stevens

Vote: 4-0-0, motion carried

Dated at Burlington, Vermont, this 2nd day of March, 2011.

Respectfully Submitted,



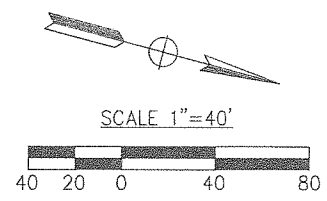
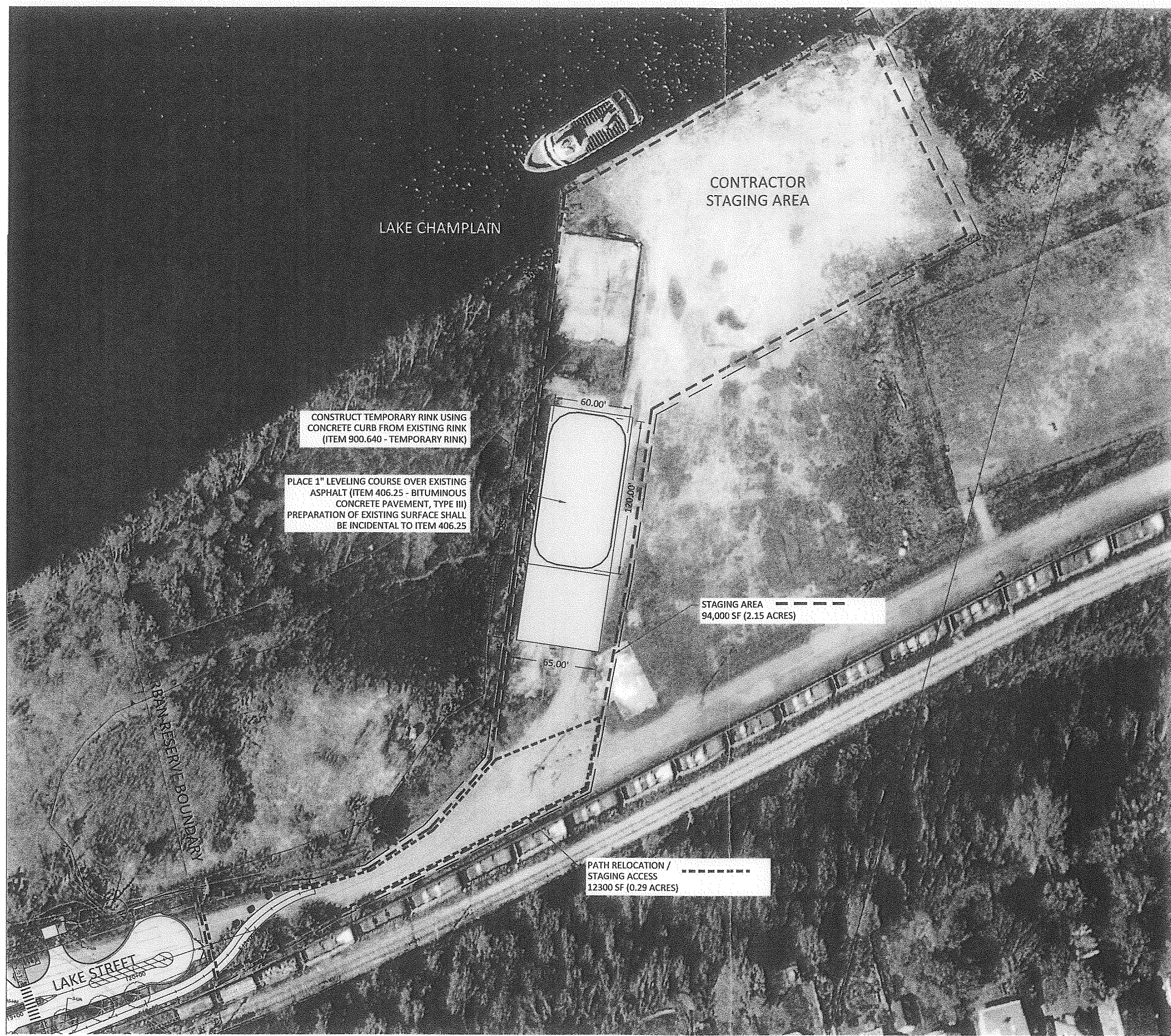
Austin Hart, Development Review Board Chair

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.

Recvd 3/3/11 b7



MATCHLINE - SEE SHEET C10.2 / C10.4



LEGEND	
SIGN	
DETECTABLE WARNING SURFACE	
NEW ASPHALT SURFACE	
NEW CONCRETE	
BENCH	
BIKE RACK	
SWING GATE	
CATCH BASIN	
NEW STREET LIGHTING	
PARKING PAYMENT UNIT	
FENCE	
CONSTRUCTION LIMITS	
RIGHT-OF-WAY	
SECTION 6F IMPROVEMENTS	
STAGING BOUNDARY	

WATERFRONT ACCESS
LAKE STREET EXTENSION
STP5000 (17) C-5
BURLINGTON, VERMONT

CITY OF BURLINGTON
Community & Economic Development
Burlington City Hall
149 Church Street
Burlington, VT 05401
Ph: (802) 865-7144

Department of Public Works
PO Box 649
Burlington, VT 05402
Ph: (802) 863-9094

VT AGENCY OF TRANSPORTATION
Local Transportation Facilities
National Life Building, Drawer 33
Montpelier, VT 05633

FEDERAL HIGHWAY ADMINISTRATION
P. O. Box 568
Montpelier, VT 05601-0568

DESIGN TEAM

RESOURCE SYSTEMS GROUP - PROJECT
55 Railroad Row
White River Junction, VT 05797
Ph: (802) 295-4999

ENGINEERING VENTURES - SITE/CIVIL
208 Flynn Avenue, Suite 2A
Burlington, VT 05401
Ph: (802) 863-6225

SE GROUP - LANDSCAPE ARCHITECTURE
131 Church Street
Burlington, VT 05401
Ph: (802) 862-0098

REVISIONS	
DATE	DESCRIPTION

LAYOUT SHEET 6

SCALE: 1" = 40'

DESIGNED BY: CDM

DRAWN BY: CDM

CHECKED BY: JDS

DATE: 1/20/14

PROJ. NO.: STP5000 (17) C5

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401

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

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

David E. White, AICP, Director

Ken Lerner, Assistant Director

Sandrine Thibault, AICP, Comprehensive Planner

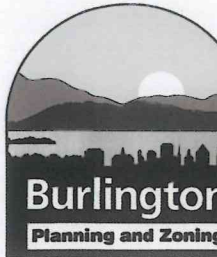
Jay Appleton, Senior GIS/IT Programmer/Analyst

Scott Gustin, AICP, CFM, Senior Planner

Mary O'Neil, AICP, Senior Planner

Nic Anderson, Zoning Clerk

Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner
Date: August 5, 2014
RE: ZP 15-0042CA/CU; 80 Colchester 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.**

File: ZP 15-0042CA/CU

Location: 80 Colchester Avenue

Zone: I **Ward:** 1

Date application accepted: July 8, 2014

Applicant/ Owner: Terry Findeisen/Edward von Turkovich, Francis von Turkovich, Randall Miller

Request: Change of use from institutional/office use to Membership Club (Hillel Foundation for Jewish Campus Life at UVM.)

Background:

- **Zoning Permit CU 2004-016;** Administrative offices for The Research Center, UVM Department of Psychiatry; Center for Children, Youth and Families. Approved January 2004.
- **Zoning Permit 01-389;** externally illuminated freestanding sign for existing medical office. April 2001. Permit relinquished October 2001.
- **Zoning Permit 00-515;** refurbish existing side porch to allow ramping of deck for h/c accessibility to the existing medical office. No increase in coverage or change in use. May, 2000.
- **Zoning Permit 99-277;** Removal of slate roofing; replacing with asphalt shingles for existing medical office. December 1998.
- **Zoning Permit 92-123 / CU92-011;** Construction of ten additional parking spaces for a total of 16 for the existing medical office and residential unit. Existing curb cut to be eliminated, with joint use of adjacent property's curb cut (medical office, 94 Colchester Avenue.) September 1991.



- **Zoning Permit;** Request for Conditional Use permit to construct a private parking lot. Property owner notifies zoning office that he has not been informed of the request. Withdrawn by applicant July 1990.
- **Zoning request;** seeking a special exception to erect a 16' x16' addition to the northeast corner of existing doctors' office. Approved July 1968.

Overview: The application is to change the use from administrative offices for a UVM affiliate (The Research Center) to Hillel Foundation for Jewish Campus Life. As this is an organization intended to support and serve the Jewish student population, membership club may be seen as the closest use identified in Appendix A of the CDO use table. A membership club is a conditional use in the Institutional Zone.

The applicant includes a minor modification to rear entry steps, and installation of bike rack.

Recommendation: Consent approval, per the following findings and conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Section 3.3.2, Impact Fees

As "Offices and other" would be the same category in calculating Impact Fees, no fees will be assessed for the Change-of-Use from offices to a Membership Club. **Not applicable.**

Part 5: Conditional Use

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 the following general standards:

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

The proposed use as an organizational presence for Hillel on the UVM will have no adverse impact on existing or planned community facilities. **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 proposed new use will support student activities centered in the Institutional Zone; particularly those intended for the student population and in close proximity to the University of Vermont.

Affirmative finding.

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

As Hillel is a student-centered membership, most who use this facility will be on-campus residents who will be able to walk, bike, or commute alternatively to the site; much as they would to attend

classes or other campus activities. No increase in traffic is anticipated; and more likely a net decrease in traffic from previous uses (office, medical practice.) **Affirmative finding.**

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

4. *The utilization of renewable energy resources;*

Nothing within the application will prohibit the use of alternative or renewable energy resources. New construction will be required to meet all current energy efficiency standards. **Affirmative finding.**

and,

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

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

As a student-centered activity proposed within the Institutional District, the effect of a faith based membership club is unlikely to present any cumulative adverse impact. **Affirmative finding.**

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

Residential use is not proposed. Not applicable.

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

The existing parking lot and plan was previously approved under Zoning Permit 92-123 / CU92-011. No change is proposed. **Affirmative finding.**

8. *may limit the number, location and size of signs.*

Any signage will require a separate permit. The University of Vermont has a Master Sign Plan, under which presumably new signs would be reviewed. **Affirmative finding as conditioned.**

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

Noise, glare, or other auditory or visual nuisances are not anticipated. The parking/landscaping is pre-existing. As proposed, a proposed membership club for Jewish students at UVM should not change the character of the surrounding area. **Affirmative finding.**

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

Interior alterations are proposed, which will require building and trades permits. No enlargement of the structure is proposed; however an exterior staircase will be replaced. The zoning permit will require commencement of the work within one year and completion within two years. **Affirmative finding as conditioned.**

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

Exterior construction shall be limited to standard hours of 7:30 am – 6:00 pm Monday-Friday, with Saturday morning hours of construction limited to interior work. **Affirmative finding as conditioned.**

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

This is a statutory requirement for any conditional use. **Affirmative finding as conditioned.**

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

This is at the discretion of the board.

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

As proposed, no safeguards appear required; however this too is at the discretion of the DRB.

Article 4: Zoning Maps and District

Section 4.4.4 Institutional District

(a) Purpose

The district is intended to support broad range of related uses reflecting the resident institution's role as regional educational, health care, cultural and research centers.

An organization that supports faith-based activities for students aligns with the purposes of the Institutional District. Hillel offers Jewish students resources, services and support in their mission to encourage young adults to celebrate Jewish learning and living. **Affirmative finding.**

Table 4.4.4-1 Dimensional Standards and Density

Coverage in the Institutional District is 40%. The minor exterior alteration includes reconfiguration and replacement of rear entry steps. Although the new exit stairs are minimally larger than existing, they are aligned largely over existing pavement. A small amount of green space will be substituted north of the new stairs for that which is covered.

There is no net new coverage presented with this plan. **Affirmative finding.**

Section 4.4.4 (c) Permitted and Conditional Uses

Appendix A: Use Table

Club, Membership is a Conditional Use in the Institutional Zone. See Section 3.5.6. (a), above.

Article 8: Parking

Minimum off-street parking for Membership Club, per Table 8.1.8-1 is 2.5 parking spaces per 1000 square feet of gross floor area. For 1911 finished sq. ft., 5 parking spaces would be required. ($2.5/1000 = x/1911$. $1000x = 4777.5$. $x = 4.7$.) The existing office use required 1/300 ($1911 = 300x$, $x = 6.37$) or 6 parking spaces. The existing, shared parking lot provides 14 parking spaces. As the required parking is less than what was required by the previous use, the parking may be considered compliant. **Affirmative finding.**

Part 2: Bicycle Parking

Table 8.2.5-1 Bicycle Parking Requirements

Whether interpreted as Colleges or Universities, or Community Services, the bicycle parking requirement is the same:

Long Term Spaces: 1 per 20,000 sq. ft.

Short Term Spaces: 3 per 5,000 sq. ft.

With gross floor area of 1911 sq. feet, NO long term bike parking is required and only **1 short term bike parking space**.

Section 8.2.5 Bicycle Parking Requirements indicated that the minimum number of bicycle parking spaces provided at each site shall be two. The proposed bike rack will generously satisfy the required bike parking for the requested use. The location of the rack has not been identified on a site plan, and will need to be. **Affirmative finding as conditioned.**

Article 13: Definitions

Club, Membership

An organization and associated properties, buildings or facilities owned or operated for the exclusive use and benefit of members and their guests for social, intellectual, educational, or recreation purposes, but not primarily for profit or to tender a service that is customarily carried on as a business. Specifically excluded are fraternities and sororities.

II. Conditions of Approval

1. Any signage will require a separate permit.
2. Exterior construction shall be limited Monday-Friday 7:30 am – 6:00 pm. Saturday morning hours of construction shall be limited to interior work only.
3. **Prior to release of the zoning permit**, the location of the proposed bike rack shall be identified on a site plan for review and approval by staff.
4. Standard Permit Conditions 1-15.

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



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DEPARTMENT OF
PLANNING & ZONING

terry findeisen . architect

July 7, 2014

To: Planning and Zoning, Burlington, Vermont

Re: Hillel Foundation for Jewish Campus Life at UVM
New Location: 80 Colchester Ave, Burlington, Vermont

About Hillel (excerpt from their website)

Hillel welcomes students of all backgrounds and fosters an enduring commitment to Jewish life, learning and Israel. As the largest Jewish student organization in the world, Hillel builds connections with emerging adults at more than 550 colleges and universities, and inspires them to direct their own path. During their formative college years, students are challenged to explore, experience, and create vibrant Jewish lives. For nearly a century, Hillel's network of dedicated student leaders, professionals and volunteers have encouraged generations of young adults to celebrate Jewish learning and living, pursue social justice (tikkun olam and tzedek) and connect to their peers and the global Jewish people. By participating in life-changing trips and campus initiatives, students learn to make a meaningful impact on the future of the Jewish people and the world while they grow intellectually, socially, and spiritually. At the heart of the Hillel network is the Charles and Lynn Schusterman International Center in Washington, DC, supporting local Hillels to ensure that we achieve our mission "to enrich the lives of Jewish students so they may enrich the Jewish people and the world."

Our Mission: Enriching the lives of Jewish students so that they may enrich the Jewish people and the world.

Our Vision: We envision a world where every student is inspired to make an enduring commitment to Jewish life, learning and Israel.

Each Hillel is unique and caters to the local community it serves. There are Hillels on large college campuses, and in the middle of metropolitan cities; those with large staffs; those run by student groups with a faculty advisor; and many more models...

We offer local Hillels resources and services to support them in their work on campus. Our Joseph Meyerhoff Center for Jewish Experience provides students and professionals with Jewish educational resources and learning curricula. We also offer support in the areas of human resources, fundraising, strategic planning, leadership development, communications, fiscal administration, and student engagement.

architecture . interior design

47 maple st . suite 330 . burlington . vermont . 05401 . terry.findeisen@gmail.com . 802.379.0515

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About UVM Hillel • Opportunities • Local Resources • Jewish Resources

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EVENTS

CALENDAR

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HILLEL STORE

MARKETPLACE

Every purchase you make through
marketplace helps to support us
financially.



SHO

ABOUT UVM
HILLEL
MISSION AND
VISION

Mission and Vision
UVM and UVM Hillel
Info

UVM Hillel FAQ
Staff & Lay Leaders
Contribute
Contact Us

UVM Hillel Frequently Asked Questions for Students and Parents

UVM Hillel Frequently Asked Questions Sheet 2013-2014

How many Jewish students attend UVM?

There are approximately 1800-2000 Jewish Undergraduates and 400 Jewish Graduate/Medical students at UVM. That means that around 17%-20% of the undergraduates at UVM are Jewish!

What is Hillel like at UVM?

UVM Hillel is here for each Jewish student on campus. Every Jewish student is welcome no matter what their background, Jewish education or experience. A wide variety of events, experiences, trips, internships and opportunities are offered through UVM Hillel. However, even if we never see a student at a Hillel bagel brunch, Shabbat service/dinner, movie night, making an edible Sukkah near the library or traveling to Israel on Birthright, we advocate for each of them throughout the year. UVM Hillel's main goal is to support students in creating meaningful and relevant Jewish experiences on campus and developing Jewish identity and leadership skills. UVM Hillel offers a diverse menu of innovative Jewish cultural, religious, social and social justice events, and immersion trips that are designed to be highly accessible and interesting to a broad range of UVM community members. UVM Hillel also strives to educate and enrich the entire campus on Judaism and Jewish cultural values.

How do Jewish students connect at UVM? Why should students get involved?

A great way to connect with other Jews and make new friends on campus is to attend one of the many events and opportunities UVM Hillel offers throughout the year. To find out about events and what's going on in the UVM Jewish community, you can friend UVM Hillel on Facebook or can be added to our list-serve by e-mailing Sharon@uvmhillel.org. In addition, there are weekly groups to get involved with that are run through or affiliated with UVM Hillel, such as the Kosher Katz a Jewish A Capella group, Vermont Students for Israel (VSI), Jewish craft bagel brunches, Jews in Greek Life (JIGL) and much more. There are also amazing travel opportunities in Israel and in the USA! The UVM Hillel Student Leadership Board is always open to new members and everyone is welcome! Please contact student President Lauren Schlanger at Lauren.Schlanger@uvm.edu to join. The UVM Hillel community is friendly, open and a great way to meet new people, so get in on the good times!

Do you have any special programs or opportunities for Jewish First-Years at UVM?

Yes! Along with all of our other exciting general events, UVM Hillel offers great programs specifically for Jewish First-Years and friends. These special programs and events are held throughout the first semester and enable new students to connect with their Jewish peers and have a great time! Please contact sharon@uvmhillel.org for more info.

Where is UVM Hillel located on campus?

The UVM Hillel offices are part of the Center for Cultural Pluralism (CCP) in the Allen House building at 461 Main Street. However, Hillel programming occurs all over campus in living complexes, the Davis Student Center (DC) and other university buildings. There is also a UVM Hillel student club desk in SGA office in the DC.

I have a great idea/opportunity/group I want to start at UVM Hillel, who should I tell?

Wonderful! Please write to the UVM Hillel staff at matt@uvmhillel.org or 802-497-2687.

Is there a Friday night Shabbat celebration and dinner every week?

Yes! UVM Hillel strives to provide a high quality, welcoming Shabbat experience and dinner each week. The only exceptions to this policy are Friday evenings before and at the end of school breaks. Right now between 40-70 students attend the UVM Hillel Shabbat celebrations on a weekly basis and we only anticipate the numbers to keep growing! Shabbat programming is led by students, guest Rabbinical leaders or feature other creative and inclusive experiences. We are also always open to new ideas and new leaders! Please let us know at sharon@uvmhillel.org if you would like to be on the Shabbat planning committee or want to become a service leader.

Where can students celebrate the Jewish holidays?

With few exceptions, Hillel provides holiday programming on campus and/or promotes community options for all major Jewish holidays during the school year (Rosh HaShana, Yom Kippur, Sukkot, Chanukah, Passover, etc.).

Are there High Holiday services and meals on campus? Do local temples also welcome students?

Yes! UVM Hillel holds services* and meals** for both Rosh Hashanah and Yom Kippur ON CAMPUS. Please go

to www.uvmhillel.org for more info on exact times and locations of the events this fall. All services are led by Rabbinical leadership. Area synagogues (Reform, Conservative, Orthodox-Lubavitch) welcome UVM students for the High Holidays free of charge. However, students who would like to attend services at area synagogues need to contact UVM Hillel for a FREE ticket before they attend. Find out more about the local synagogues at www.uvmhillel.org. **PLEASE NOTE:** *Tickets are **NOT REQUIRED** for any of the UVM Hillel services. However, students and visitors are ****REQUIRED** to have tickets for both Erev Rosh Hashanah dinner and the Yom Kippur Break-the-Fast meal if they wish to attend the dinners. Tickets can be purchased at www.uvmhillel.org.

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UVM Hillel also hosts an annual Rosh Hashanah apple picking trip to the orchard, watch out for more info!

Are students excused from class on Jewish Holidays? Yes. However, classes will still be in session so it is up to each student to respectfully inform their professor of their need to be absent with appropriate notice. Please see the University Policy for Religious Holidays under "Academic Policies" at www.uvm.edu for more info.

Are there Kosher food options at UVM?

Yes. A Kosher dining area is planned to open at the Simpson Dining Hall this year. There are also plans to have packaged kosher food available in various locations on campus. Students who keep kosher often also choose to eat vegetarian on campus. The university is happy to work with students to accommodate their food needs. Please contact dining services at 802.656.4664.

What are the Kosher food guidelines of UVM Hillel?

UVM Hillel strives to create a positive Jewish food culture that best serves the wide range of Jewish students at UVM and takes into consideration a variety of food norms and concerns. Due to limitations in funding and the lack of a dedicated Hillel Kosher kitchen, UVM Hillel is currently unable to provide strictly Kosher food.* However, we have decided on Kosher food guidelines that inform our food choices and preparation for Hillel sponsored events. We also feel that it is important to make the concepts of keeping Kosher accessible to students and strive to make sure everyone feels heard and educated around this aspect of Jewish life. Please be aware that these are only guidelines and are expected to change, especially with the introduction of a Kosher dining hall on campus.

Milk and Meat Separation: Dairy products and meat products are not served at the same meal.

Kosher Meat: UVM Hillel serves certified Kosher meat at Hillel events with few exceptions.

Packaged Foods: UVM Hillel buys Kosher certified products whenever possible.

Food Preparation: Food currently cannot be prepared in a Kosher kitchen or with Kosher cookware.

Dishes and Cutlery: Disposable dishes and cutlery are used for most meals.

* Strictly Kosher food is food that is packaged and/or slaughtered in a certified Kosher manner, prepared in a Kosher kitchen and served on Kosher dishes. More info at www.jewfaq.org/kashrut.

Are there immersion trip opportunities through UVM Hillel during the 2013-2014 school year? YES!

1. Winter '13-'14. **Taglit-Birthright Israel Trip.** Dates are TBA and will most likely fall during winter vacation. Registration for the trip will open in September 2013. This amazing opportunity is a 10 day FREE trip to Israel for Jewish young adults ages 18-26 who have never been to Israel on a peer-group trip.
2. March 2-9th. **UVM Hillel's Alternative Spring Break in VT.** UVM students will have the incredible chance to learn about Food Justice in Vermont and explore Vermont during this week of amazing community work. Projects will include working at a food bank, meeting local restaurant owners who focus on local and organic options, as well as a Shabbaton in a rural Vermont city.
3. **UVM service learning class and Alternative Summer Breaktrip to Arad, Israel.** This immersion trip combines art, environmental learning and social justice work for a life-changing experience in Israel! Registration will occur in the fall for the spring class and summer trip. **For more information about the UVM Hillel immersion trip opportunities, please contact** matt@uvmhillel.org.

Matt Vogel, Executive Director (matt@uvmhillel.org or 802-497-2687)

Sharon Silverman, Director of Jewish Student Leadership (Sharon@uvmhillel.org or 802-656-1153)

Rafi Schraer, Engagement Coordinator (rafi@uvmhillel.org or 619-569-0358)

UVM Hillel — 461 Main St. Burlington, VT 05405

www.uvmhillel.org

UVM Hillel FAQ Sheet -- Parent Extras!

How is UVM Hillel funded?

UVM Hillel is funded by parents, the local community and alumni. We have no Jewish Federation in Vermont and therefore no federation funding. We receive Student Government Association Funding for some activities, but as the number of students attending events and the number of events has grown, maintaining a great program requires more funds. To fully serve the approximately 2000 Jewish students on campus, we need your support. Every gift matters! You can donate through the mail or online at www.uvmhillel.org

What is the benefit of joining the UVM Jewish Parents Association?

Joining the UVM Jewish Parents Association helps us to create a vibrant and viable Hillel on the UVM campus. The gift deliveries included in the circles of membership also enable us to connect with your student face to face throughout the year. Parent Association membership gifts are vital to our programs. We look forward to having you as our partner in this endeavor.

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Are there any parents on the UVM Hillel Community Board?

Yes! Our Community Board consists of dedicated alumni, community members and of course, great UVM parents! If you are interested in learning more about this wonderful opportunity to directly influence and support the progress of UVM Hillel, please contact Matt Vogel at matt@uvmhillel or 802-497-2687 for more information.

Can parents get involved and/or help out with UVM Hillel in a more general way?

Yes! There are many opportunities and projects that come up throughout the year for which UVM Hillel looks to parents to help make possible. One of these projects is a twice-annual online fundraising auction. There are many components to bring together in order to make these auctions beneficial for UVM Hillel and parents are always a huge factor in making them both a success! If you are interested in learning more these opportunities to help out with UVM Hillel, please contact Matt Vogel at matt@uvmhillel or 802-497-2687.

UVM Hillel Mailing Address:

461 Main Street
Burlington, VT 05405

 Twitter  FaceBook  Print  Email

"UVM Hillel enriches the lives of Jewish students so that they may enrich the Jewish people and the world"

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OWNER OF RECORD & PROPERTY ADDRESS

1. RANDALL A. MILLER	88 COLCHESTER AVE
2. RANDALL A. & MARY JO MILLER	72 COLCHESTER AVE
3. 80 COLCHESTER AVE LLC	80 COLCHESTER AVE
4. 94 COLCHESTER AVE LLC	94 COLCHESTER AVE
5. FLETCHER PLACE	27 FLETCHER PLACE

ZONING DISTRICT:
INSTITUTIONAL

EXISTING CONDITIONS DIMENSIONAL SUMMARY

	REQ'D	88 COL. AVE.	72 COL. AVE.	80 COL. AVE.	94 COL. AVE.	27 FLETCH. PL.
LOT AREA	N/A	0.28 AC	0.28 AC	1.05 AC	0.22 AC	0.84 AC
FRONT SETBACK	VARIES	8'	8'	25'	20'	4'
SIDE SETBACK	VARIES	0'	0'	17'	6'	10'
REAR SETBACK	VARIES	180'	123'	385'	167'	150'
LOT COVERAGE	40%	88.5%	85.1%	21.8%	76.4%	4.9%

- NOTES:
1. SETBACKS ARE BASED ON AN AVERAGE LOT WIDTH, DEPTH AND NEIGHBORING FRONTAGE PER THE BURLINGTON REGULATIONS. THE SETBACKS AS SHOWN HAVE NOT BEEN CONFIRMED BY BURLINGTON PLANNING & ZONING.
 2. THERE ARE SLIGHT DIFFERENCES IN ACREAGE TOTALS BETWEEN BURLINGTON PARCEL MAPPING AND THE GRAND LIST. FOR THIS PLAN THE PARCEL MAPPING WAS USED FOR CALCULATION PURPOSES.
 3. ALL LOT COVERAGES ARE BASED UPON THE ORTHOPHOTO AND NO FIELD WORK WAS PERFORMED.

SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
10 HANFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
802-864-2323 FAX: 802-864-2271 web: www.ces-vt.com

DRAWN
MJW
CHECKED
MJW
APPROVED
SAV

OWNER:
80 COLCHESTER AVE, LLC
80 COLCHESTER AVE.
BURLINGTON VERMONT

PROJECT:
PROPOSED MIXED USE DEVELOPMENT
80 COLCHESTER AVE.
BURLINGTON VERMONT

THIS DOCUMENT IS FOR REFERENCE SPECIFICALLY TO THE 80 COLCHESTER AVE PROJECT ONLY

LOCATION MAP

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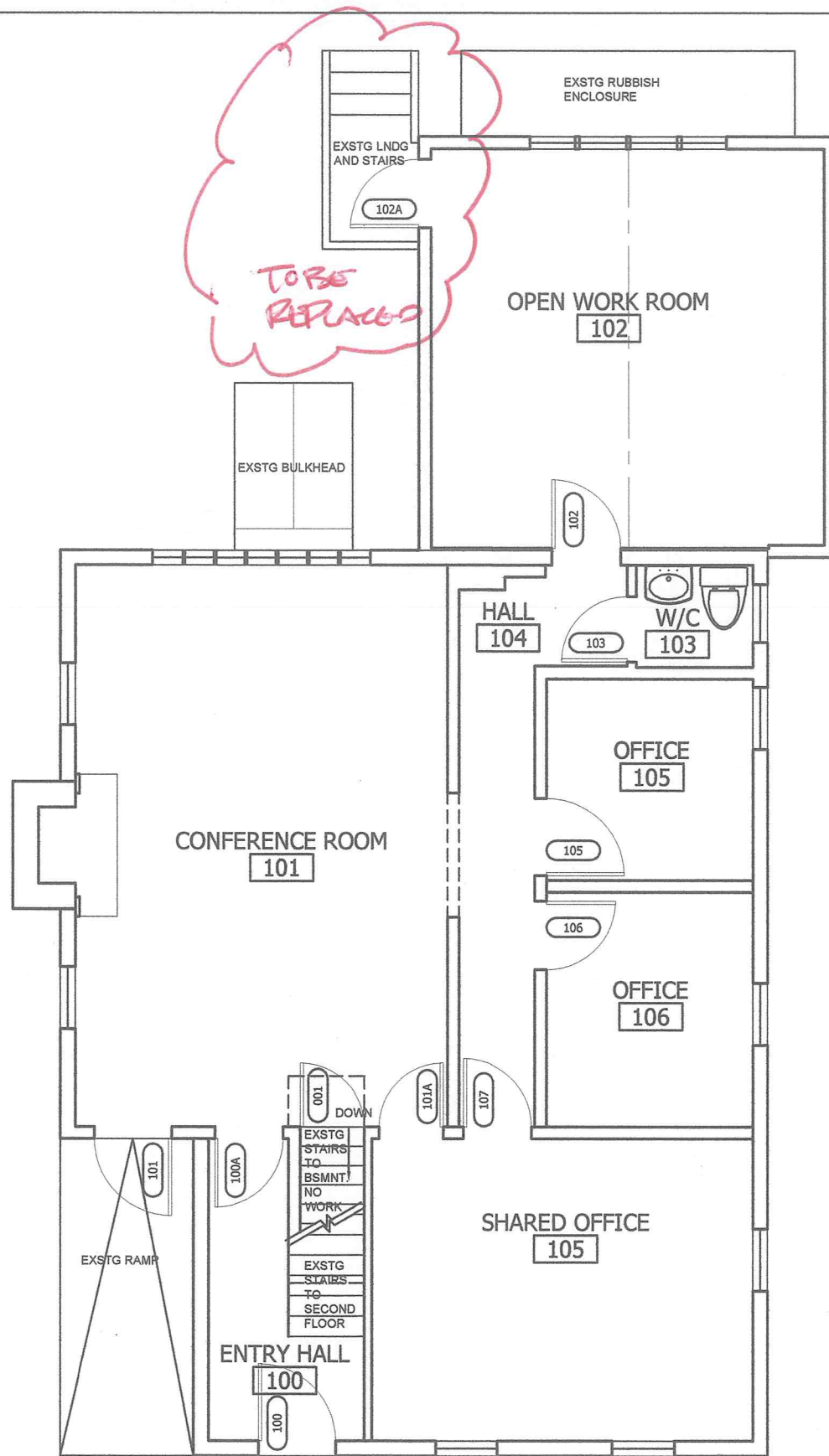
EXISTING CONDITIONS PLAN

DATE
MAR., 2012

SCALE
1" = 30'

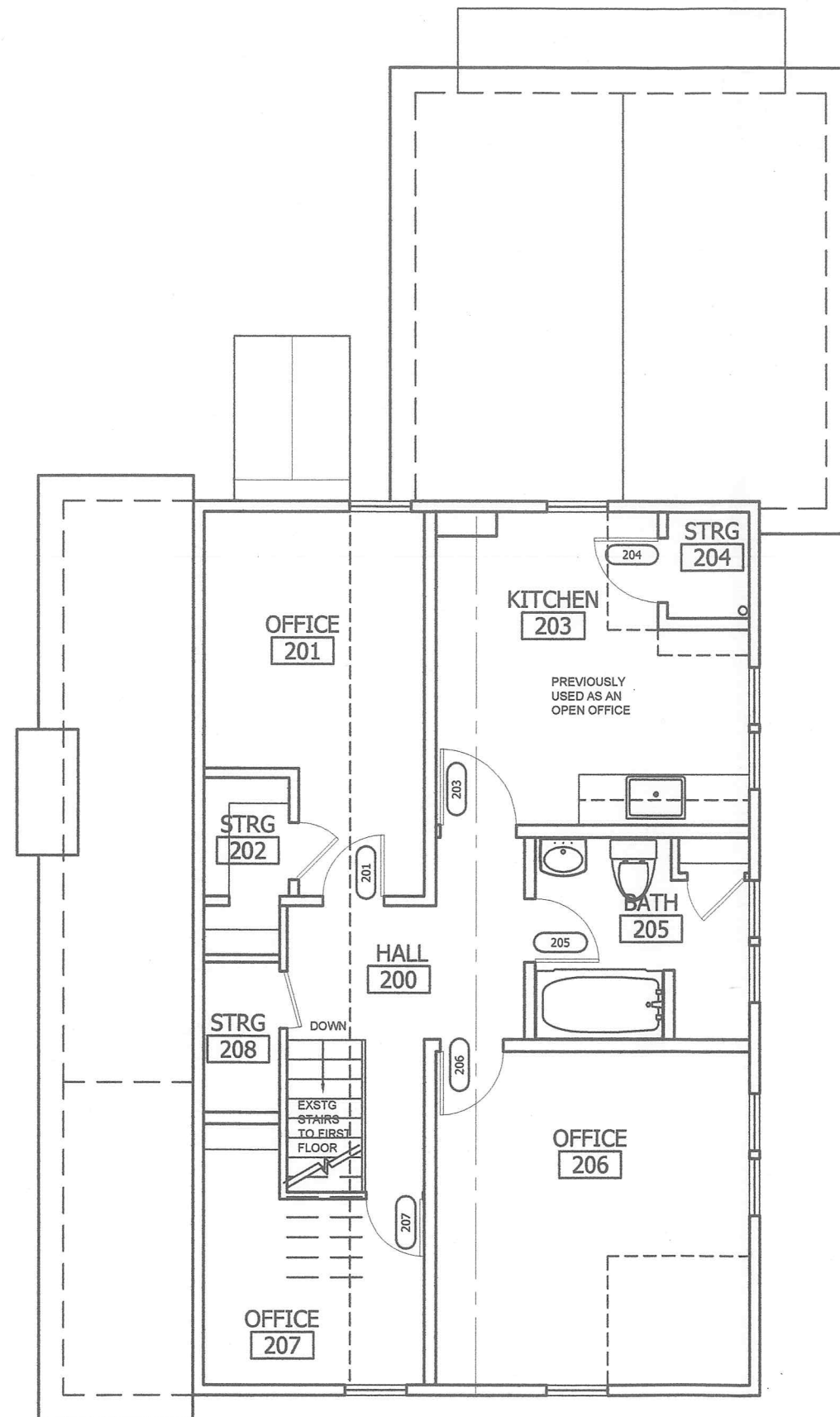
FIG. NO.
11200

DRAWING NUMBER
C2



1 EXSTG FIRST FLOOR PLAN

Scale: 1/4"=1'-0"



2 EXSTG SECOND FLOOR PLAN

NO WORK ON SECOND FLOOR.
SHOWN FOR REFERENCE

Scale: 1/4"=1'-0"

RECEIVED
JUL 08 2014

DEPARTMENT OF
PLANNING & ZONING

CITY OF BURLINGTON
PLANNING AND ZONING APPLICATION
NOT FOR CONSTRUCTION

terry findelsen . architect
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Hillel at University of Vermont . Tenant Fit-up

Revisions:

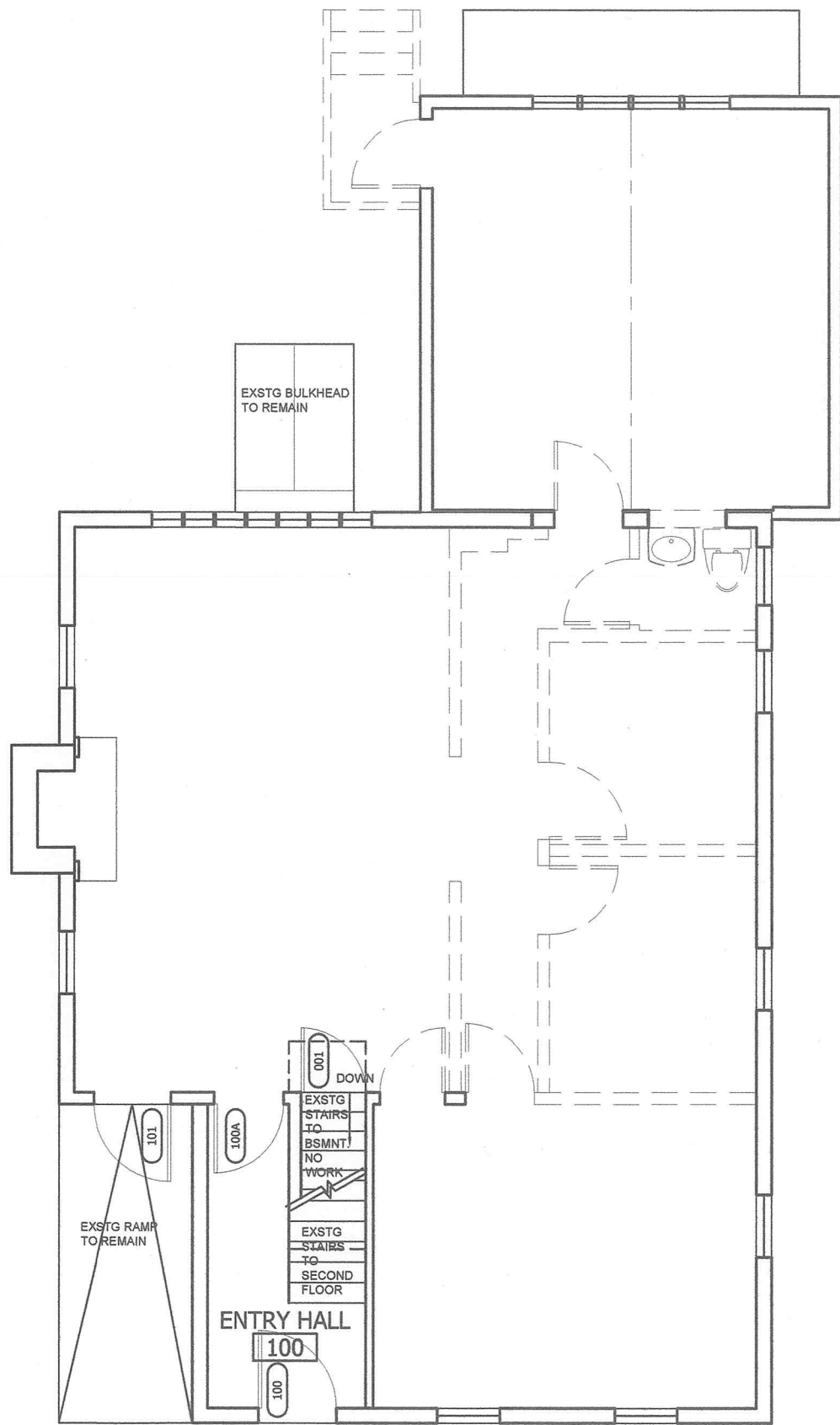
1

EXIST' FLOOR

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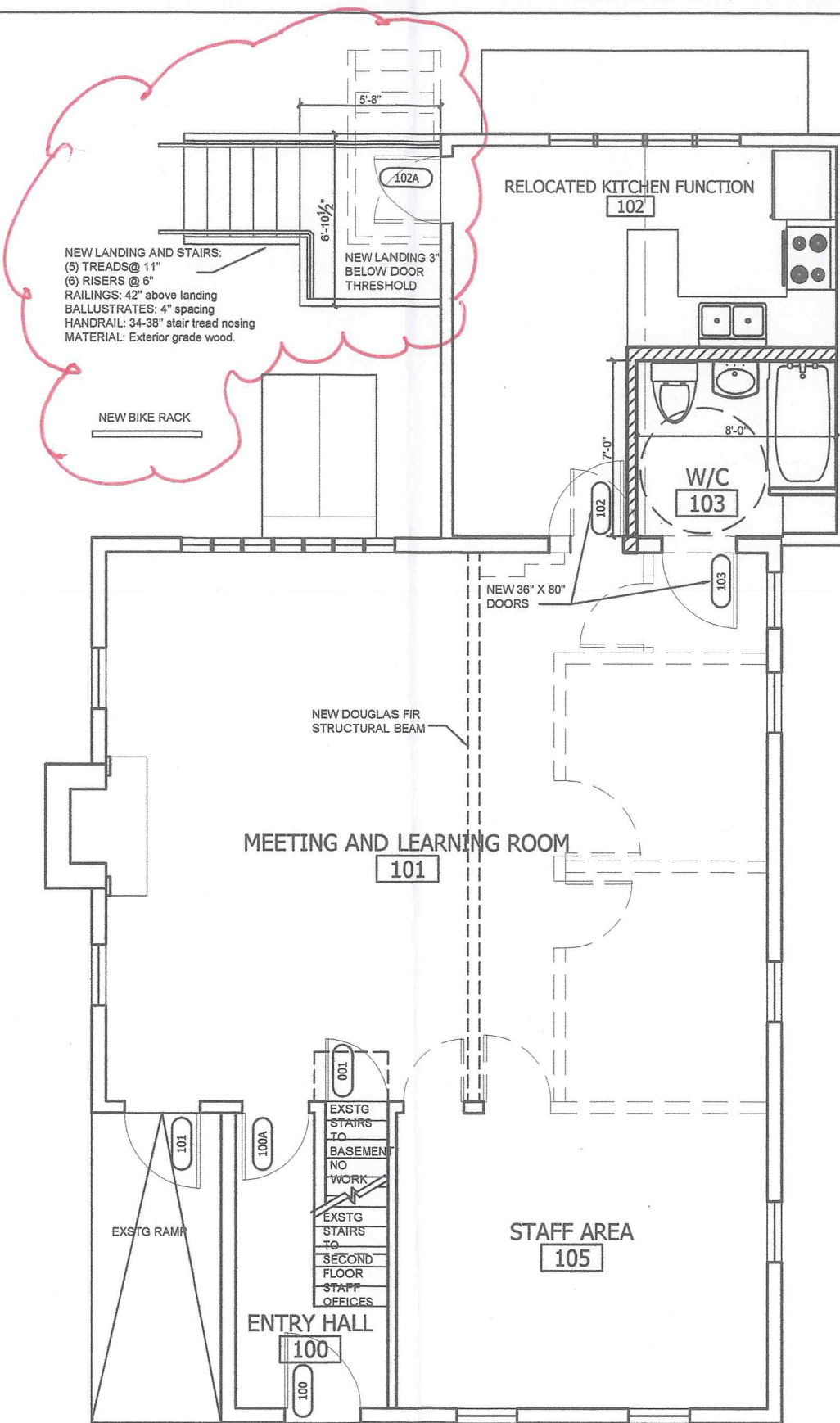
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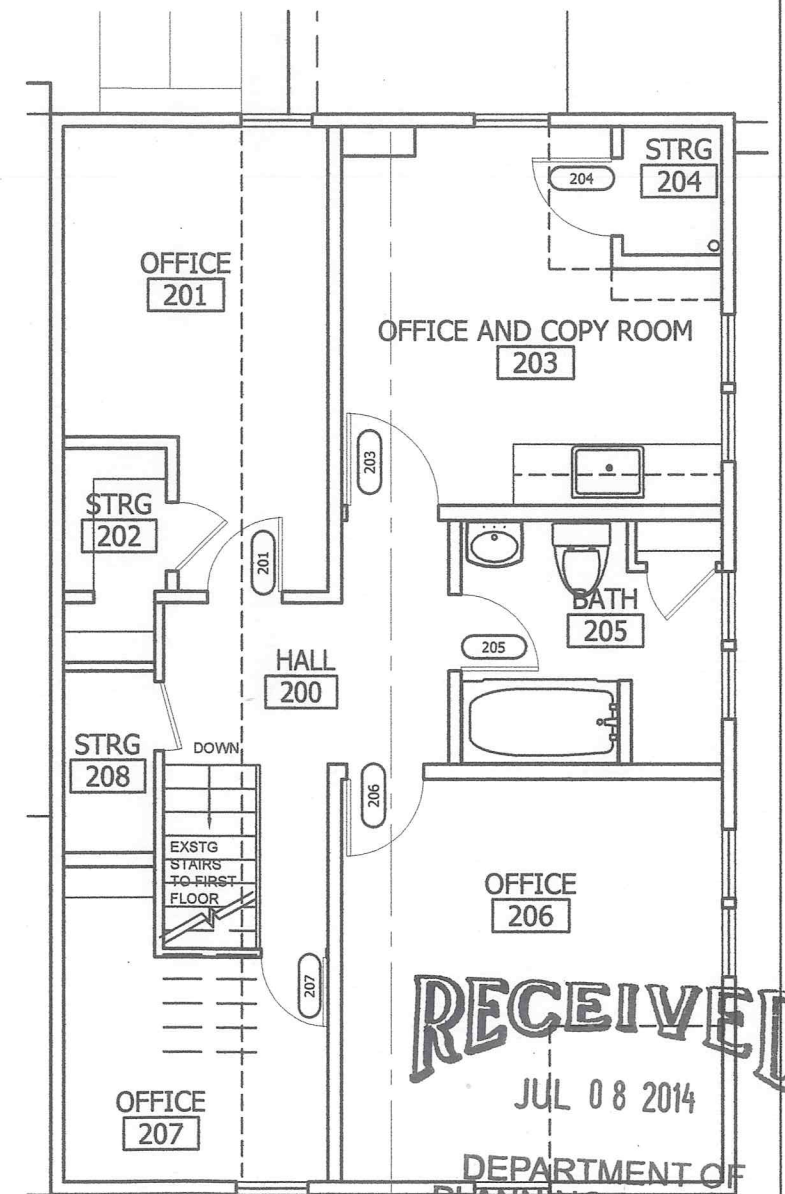
1 FIRST DEMO FLOOR PLAN

Scale: 1/4"=1'-0"



2 PROPOSED FIRST FLOOR PLAN

Scale: 1/4"=1'-0"



3 PROPOSED SECOND FLOOR PLAN

Scale: 1/4"=1'-0"

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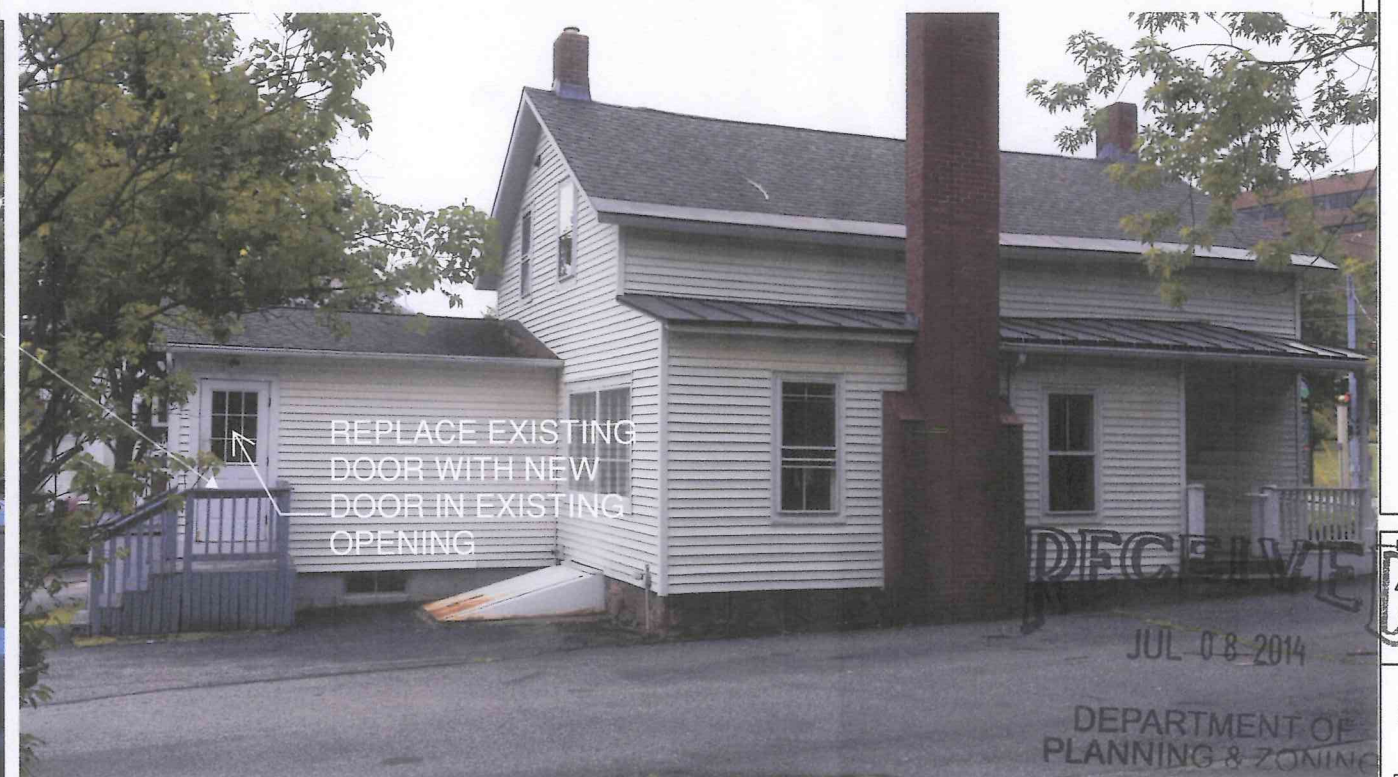
80 Colchester Ave: South Elevation



East Elevation



North Elevation



West Elevation

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Revisions:
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Revisions:
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Proposed
Sta
Date:
Scale:

SD

Burlington Development Review Board

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



BURLINGTON DEVELOPMENT REVIEW BOARD Tuesday August 5 2014, 5:00 p.m. Contois Auditorium, City Hall, 149 Church Street, Burlington, VT MINUTES

Present: Brad Rabinowitz, A.J. LaRosa, Michael Long, Missa Aloisi (late 5.24pm),

Staff: Scott Gustin, Ken Lerner, Nic Anderson

Absent: Austin Hart (chair), Ali Zipparo, Israel Smith, Jonathan Stevens (Vice Chair), Mary O'Neil,

I. Agenda

Items for Lake Street and Colchester Avenue not being heard due to lack of quorum (only three members present). Both items will officially be heard on August 19th. Will hear sketch plan item as it is not a public hearing item.

II. Communications

None.

III. Minutes

None.

IV. Consent

1. **10-1005CA/MA: 475 LAKE STREET (UR/DW-PT, Ward 3) City of Burlington**
10-1115CA: 0 LAKE STREET - 043-4-004-000
11-0570CU: 601 LAKE STREET - 038-2-006-000

Time extension request for redevelopment of the Moran Plant (5 permits including amendments and associated properties) into public-private uses and associated site works and car parking. Upgrades to bike path, increased green space and park amenities, children's splash area/seasonal refrigerated skating rink and a rebuilt skate park. Includes Community Sailing Center and staging area in urban reserve.

Not heard.

V. Public Hearing

1. **15-0042CA/CU: 80 COLCHESTER AVENUE (I, Ward 1) Randall Miller & Frank Von Turkovich**

Change use from office to membership club; replace exterior staircase and install bike rack. (Project Manager: Mary O'Neil)

Not heard.

VI. Sketch Plan Review

1. **14-1311SP: 86 MAIN STREET (D, Ward 3) Grandview Farms, Inc.**

Sketch Plan review for proposed twenty three unit apartment building, with office space. (Project Manager: Mary O'Neil)

Applicant Tyler Scott present. Handed out updated plans with slight changes since Technical Review Committee review and staff comments. Have summary of site and application. Missa Aloisi arrived 5.24pm.

B. Rabinowitz asked about alleyway/access easement.

T. Scott continued presentation and review of new features. Asked board for comment on height and interpretation of starting point for height and average.

M. Long asked S. Gustin for comment on typical review.

S. Gustin detailed. Seems to fit concept.

T. Scott detailed reason for measuring from Pine St average which will allow additional 3ft possible. Will need to discuss with DPW on handicap access and entry challenges.

B. Rabinowitz asked about rooftop use.

T. Scott. None.

B. Rabinowitz asked about existing ramp area and unit bedroom count.

T. Scott – 18 studio units.

App lady – Really have a need for studios.

K. Lerner asked about building on top of existing building or demolition.

App lady – No plan to demo. Wood frame building will not support load. Don't know what's underneath.

B. Rabinowitz asked about parking.

App lady – Have deeded parking access at 76 Saint Paul st for plenty of spaces. Not 40 Main St as noted in staff comments. Need to allow parking for existing building also.

K. Lerner – Parking analysis would be needed with final application.

M. Aloisi asked about bike parking.

B. Rabinowitz – concern about the window areas not being active use. Asked about walkway out of parking area using car entrance. Not a good situation to have no differentiated pedestrian access/walkway. Could shorten up art display and make it work.

AJ asked about moving in furniture, beds, tv etc. Spaces seem tight. May need more space for swinging around .

T. Scott – Large elevator. Doors into area will be automated.

M. Aloisi – tight entries should be discouraged.

AJ asked about garage entry height. Also asked about unloading zone for tenants.

M. Aloisi asked if parking in garage would be assigned.

App lady. Havent had that discussion.

T. Scott – Certainly a possibility to have loading space.

App lady – Certainly would not be gated.

M. Long asked about unit size and storage.

AJ asked about exterior lighting.

T. Scott – No decision yet.

App lady – Can come up with a good solution for lighting. Have good examples on other properties.

B. Rabinowitz would encourage landscaping.

App lady – Will discuss more. Have discussed with Warren Spinner.

T. Scott – Natural gas pipeline underneath Pine St ROW.

AJ asked about HVAC on roof. Would it add height?

T. Scott – Yes would have on roof but would not add to height.

M. Aloisi asked about exterior materials.

T. Scott detailed.

B. Rabinowitz – Big blank wall on west. Should break it up. Opportunity to have something more interesting in the spaces fronting Pine St.

M. Aloisi concerned about the functional space and useability of the bike storage.

K. Lerner – Could get some nice views from west units if larger windows.

Member of public asked what mechanical units would be on roof.

T. Scott – Probably condensers for AC. Havent got a mechanical system designed yet. Either on top of 5th floor and possibly 6th depending on access.

Barbara McGrew. 76 Saint Paul St. Not opposed. Parks in Corporate Plaza garage. Often full. Question whether there is available spaces. Some persons come and go at all times of day. In winter, it would be a hardship to walk the three blocks. Asked about

inclusionary housing and if they have services. Where would trash be stored and where would trucks pickup.

T. Scott – Would alter north access and have dumpsters there.

B. Rabinowitz concerned about how the people would put the trash in the dumpsters and doesn't think that they should have to walk all the way around the building.

Neighbor woman from College St Apartment building. Should have coordination with the neighboring property which is also proposing a large apartment building. Should be done together.

App lady – Would have loved to coordinate but cant wait for Dave Farrington who seems postponed.

Neighbor – Concerned that BHA didn't pass on public notice to her and concerned other tenants are unaware. Small yellow house will be surrounded by apartment buildings.

Member of public again...asked about exterior lighting.

T. Scott – Doesn't know yet.

App lady – Will be safe and not disturbing to others.

Member – Asked if having a façade?

T. Scott – Confused. Yes.

Member – asked about height.

T. Scott detailed.

Paul Bowler? Neighbor. Main Street is the gateway. Has some beautiful homes.

Corner will not blend in. Will be an eyesore. Shouldn't have apartments on Main Street.

Worked with M. O'Neil on previous sketch plan on neighboring property. Concerned with aesthetics. Asked if existing building was considered historic. Would like it blended in with other buildings. Too modern design. Need more brick.

For last couple of years has gotten agendas via email, wants to be included on CC list again. bmcgrew@aol.com Barbara McGrew.

App lady – Will do NPA.

Nancy Bowler? Sunset House B&B. Brick looks nice on other buildings. Concerned about too many stories. Visitors love Burlington. Concerned this will impact Main St and seeing box in front of the lake. Will impact traffic and parking. Existing building has busy places and have a lot of traffic. Really against this application. Concerned about a big square box view when coming down the hill. Modern look is also a concern. Concerned it will not be set back like other buildings and doesn't have decorative design. Setback helps buildings to blend in. Will be out of place.

Sketch plan closed 6.35pm.

VII. Other Business

1. Annual Organizational Meeting

Not held. Deferred again to next meeting of August 19th.

VII. Adjournment

Adjourned at 6.35pm.

Deliberative to be held Monday, July 21st at 5:00 pm.

A. Hart - Chair, Development Review Board

Date

Nic Anderson, Zoning Clerk