

Burlington Development Review Board

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Austin Hart
Michael Long
Jonathan Stevens
Brad Rabinowitz
Bob Schwartz
Kevin Stapleton
Jim Drummond
Oscar Hernandez (Alt.)
Alexandra Zipparo (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD Wednesday, February 20, 2013 - 5:00 p.m., Contois Auditorium, City Hall, 149 Church Street, Burlington, VT MINUTES

Present: Austin Hart (Chair), Jonathan Stevens (Vice Chair), Michael Long, Brad Rabinowitz, Alexandra Zipparo (Alt.)

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

Absent: Kevin Stapleton, Jim Drummond, Bob Schwartz, Oscar Hernandez (Alt.)

I. **Agenda**

110 Riverside Ave has requested deferral to a date certain March 19th for design changes. Will issue public hearing notice to neighbors at this time.

II. **Communications**

One packet for 196-202 North St. Accepted by the board.

III. **Minutes**

Two sets. Will review and approve at deliberative.

IV. **Consent**

1. **13-0701CA/CU: 85 Riverside Avenue (RCO-C, Ward 1) Winooski Valley Park District**

Trail improvements along Riverwalk Trail. (Project Manager: Scott Gustin)

Applicant Tim Larned – Parks Manager present. Received staff comments and has no concerns.

No objections by board to treat as consent item. No public present to speak.

Motion by J. Stevens to approve and adopt staff findings and conditions

Seconded by M. Long

Vote: For 5-0 Against

Motion Carried.

2. **09-946CA/CU: 53 Birchcliff Parkway (RL, Ward 5) Laurel Canyon Development, LLC**

Time extension request to construct two residential units attached to existing office building. (Project Manager: Scott Gustin)

Applicant Earl Wortheim present.

No objections by board to treat as consent item. No public present to speak.

A. Hart – Noted that this is a repeat request and may not approve any more time extensions in the future.

E. Wortheim – Looking at starting soon so doesn't anticipate any need for future time extensions.

Motion by J. Stevens to approve and adopt staff findings and conditions

Seconded by M. Long

Vote: For 5-0 Against

Motion Carried.

3. **13-0705SD: 568 South Prospect Street (RCO-RG, Ward 6) Burlington Country Club**

Two lot subdivision. (Project Manager: Ken Lerner)

Applicant Art Shields – President of Burlington Country Club present.

B. Rabinowitz asked K. Lerner about approving a subdivision on a private access drive, not a city street.

K. Lerner detailed decision from recent E Court. Also no frontage required in RCO zone.

M. Long asked why subdivision is requested.

A. Shields – Mortgage collateral for Burlington Country Club.

No objections by board to treat as consent item. No public present to speak.

Motion by J. Stevens to approve and adopt staff findings and conditions

Seconded by M. Long

Vote: For 5-0 Against

V. Public Hearing

1. **12-0673CA/MA: 196-202 North St (NMU, Ward 3) Abes Corner, LLC**

Construct new building to contain 7 new residential units and 1 ground floor commercial unit on existing vacant corner lot. 4 space parking waiver requested. (Project Manager: Mary O'Neil)

Applicants J. Stuart McGowan and Erik Hoekstra present.

Applicants and members of public sworn in.

S. McGowan gave presentation of application and history of the site. Went through each plan and detailed all features of application.

B. Rabinowitz asked about parking space waiver numbers.

J. Stevens asked about neighboring building (161-165 Elmwood Ave) and why residential not commercial.

S. McGowan detailed plan of building and why residential. Put in new storefront windows so that if in the future it would be easy to revert to commercial.

J. Stevens asked about restaurant use? Is that the intent?

E. Hoekstra – Restaurants do create neighborhood hubs. Other buildings on North St are not constructed to accommodate a restaurant based on hoods and grease traps etc. Keeping options open for anything commercial.

S. McGowan – Trying to build to allow all commercial options.

A. Hart asked if things have changed since last application in terms of commercial needs.

S. McGowan – Last site was small, but was built to accommodate commercial if needed.

A. Hart asked about horizontal metal siding.

S. McGowan- Different material to previous building on North Champlain St. Smoother.

A. Hart asked about parking waiver.

S. McGowan – Enormous demand for 1 and 2 bedroom units in area. Parking on N. Champlain St proved that it works having less parking.

M. Long asked about windows and ventilation.

S. McGowan – New construction keeps buildings cool in summer.

J. Stevens asked about CarShare potential.

S. McGowan – doesn't plan for CarShare. There is CarShare in the neighborhood.

B. Rabinowitz asked for site plan with property lines. Asked for photographs of existing and existing site plan. Thinks having only rear entrance for the apartments is a deficiency. Should have front entrance.

S. McGowan – Conscious decision to have in rear based on previous projects.

E. Hoekstra – Building is tight and space is at a premium.

B. Rabinowitz – Understands other considerations but should have front entry.

E. Hoekstra – Public will be invited by front entrance. Private apartments tenants will know the situation.

B. Rabinowitz asked about brick/block.

E. Hoekstra – Showed sample of faux brick.

Eric Schultz – Former resident. Lived across the street at 176 Elmwood Avenue. Asked about walkways to the back. Asked about total number of bedrooms.

S. McGowan – 9 bedrooms.

E. Schultz – Concerned about number of parking spaces. Asked about total number of spaces.

S. McGowan. 13 units. 20 bedrooms. 13 parking spaces.

E. Schultz – Parking is still a concern. Commercial traffic could add to the problem. Neighboring furniture retail will make the issue worse. Asked about on street residential only parking.

A. Hart – DPW Commission can only review on street residential only parking.

E. Schultz asked applicant about colors.

J. Stevens asked E. Schultz about current parking issues.

E. Schultz – Noted issues with parking in area. Temporary parking on green belt and street happens. Part of problem with his own property.

Brian Pine – Housing Assistant Director at Community and Economic Development Office. Staffed North Street Task Force in 1990's. Detailed task force plans. Community consensus from that time was having a mix of commercial and residential, Hard to foster commercial. Noted parking should not be a barrier for new development based on new urbanism principles. Supports project and seems to be supportive of Revitalization Plan. Should approach these situations differently based on location. This corner has three different busses that go past in three directions. Will have an inclusionary unit. Market rate housing is also exactly what is needed on North St.

Sworn in Tom Rugg – Owns T Rugg's and other building on the corner. Been there since 1980. Issue right now is parking. Constantly fighting for parking. Problem is commuters who work downtown people parking on Elmwood Avenue and walking downtown. Two and three hour parking but not policed very well. Two all day parking spaces. When there is a funeral Elmwood Avenue is either full or 'closed'. Is a fight for parking.

M. Long maybe making street residents only could be explored.

T. Rugg – That is not the right way to go. Not metered past the post office. Support project and believe it is vital for the neighborhood, but parking is a crunch.

E. Hoekstra – Have been approved by Conservation Board...with gold star honors. Waiver requested is reasonable. Looked at draft Planning Commission change for parking and thinks this is in line with what is proposed. If approved, might not be talking about waiver in the future.

S. McGowan – Parking will be shared for commercial and residential. Flexible. Trying to keep the cars off the street. Doing everything to make sure were not adding to the problem.

E. Hoekstra – Working with DPW and have approval to install permanent bike racks in ROW. Promote bikes, car share and other alternative commuting methods.

A. Hart closed Public Hearing 6.03pm.

2. 13-0650CA/MA: 110 Riverside Avenue (NAC-R, Ward 1) Sisters and Brothers Investment Group LLP/Steve Guild Design

Proposed 57-unit residential building with associated underground parking. (Project Manager: Mary O'Neil)

Request to defer to date certain March 19th. A. Hart proposed to continue to date certain March 19th.

Seconded by M. Long

Vote: 5-0 against

Motion Carried.

VI. Certificate of Appropriateness

1. 13-0704CA: 309 College Street (RH, Ward 2) Rieley Investments, LLC

Convert portion of existing office space into two residential units. Parking waiver requested. (Project Manager: Scott Gustin)

Applicants John Alden and Scott Rieley present. Sworn in with member of public.

J. Alden – Detailed proposal.

A. Hart – One question on parking waiver. Has parking management plan been in place previously. Does it have a track record.

S. Rieley - No track record. Research when starting project. Owned building for four years. Willing to adopt parking management plan and is similar to adjacent property next door which has more bedrooms. Thinks it will be successful.

A. Hart asked how many bedrooms in proposed.

S. Rieley – 8 bedrooms in new units. 10 in existing 10 units.

M. Long unclear of available spaces. Look like 14 now.

S. Gustin – 16 spaces proposed.

J. Alden – Will be restriping to make clear parking spaces.

M. Long asked about green space allocation.

B. Rabinowitz asked about office use.

S. Rieley – It is my office. I am on site.

B. Rabinowitz asked about east elevation and commercial space.

J. Stevens asked how much a parking space rents for.

S. Rieley – Gene Richards next door gets \$900 per year. Sat down with him and discussed to learn how to make it work best.

J. Alden – It is an added cost for tenants so makes them think if they need a car or not.

A. Hart asked about property management during evening hours.

S. Rieley – Have about 100 student rental units in Burlington as well as others. Detailed staff and on call hours. Good track record. Take a hard line. Don't have that many problems.

A. Hart asked if other properties have 4 bedroom units.

S. Rieley – Yes.

Bill Church - Lives on Bradley St. Parking is impossible on Bradley St. Problem is the accounting of the spaces and trash removal. Dumpsters in parking spaces are a concern. Gave photographs to board of previous situations and questioned management. Pushing back on parking waivers is the main priority. Concern about management of parking. Also concerned about 4 bedroom units. Problem of neighborhood is lack of owner occupancy. Another step towards impacting the livability of the neighborhood. Concern with number of bedrooms exploiting the neighborhood. Questions management plan for dumpsters and parking.

S. Bushor sworn in. City Councilor. Was Chair of committee that changed the four unrelated individuals regulations. Thinks cost to rent space is sizeable and may push the tenants to just park on the street to not have to pay rental for space. Parking management plan does not solve the problem. Converting office space to residential occurs frequently but concerned about numbers of bedrooms is concern. Wants to incentivize owner occupancy as condos instead.

Debra Roseman sworn in. Lives on South Union St. Neighborhood is on the brink. Quick response means that the event has already happened and the effect has already been made. Out of state students will have cars. All streets are packed with cars that don't move. Huge issue with parking.

J. Alden – Notes positive effect of reducing non-conformity by removing office and changing to residential.

S. Rieley – Photograph submitted was his property and he saw this from a Code Enforcement officer and addressed immediately. Response to S. Bushor on costs. Doesn't see this as pushing the rent up but just splitting the costs.
 S. Gustin noted the parking waiver is for the 10 one bedroom units, not the change from offices to residential.
 M. Long - This is convoluted.
 S. Gustin - Agreed. Parking management plan addresses theory of having 10 space waiver but because of dumpster it is essentially a 1 unit.
 J. Stevens asked S. Gustin for clarification on when waiver is required.
 B. Rabinowitz asked about level of renovation inside.
 S. Rieley – Not a lot of renovation except for new kitchens and bathrooms. Big building that doesn't need a lot of change. Will have a lot of space. Will have an apartment with two living rooms because of the space.
 Public Hearing Closed 6.33

VII. Other Business

VIII. Adjournment

Adjourned at 6.33pm.

Deliberation scheduled for Wed 6th March at 4.30pm.

 A. Hart - Chair, Development Review Board

 Date

 Nic Anderson, Zoning Clerk