

Department of Planning and Zoning

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Burlington, VT 05401

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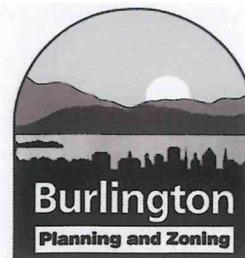
Jay Appleton, Senior GIS/IT Programmer/Analyst

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: October 15, 2013

RE: ZP 13-1262CA/MA

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 13-1262CA/MA

Location: 256-258 North Winooski Avenue and 260-262 North Winooski Avenue

Zone: NMU **Ward:** 2

Date application accepted: September 26, 2013

Applicant/ Owner: Erik Hoekstra, Redstone / Gates and A. Marsh Gooding

Request: Request window and siding changes for previously approved CA/MA. Re-arrangement of window openings on select building elevations. No change to parking or site plan proposed.

Background:

For combined lots:

- **ZP 13-1262CA/MA;** Combine 256-258 and 260-262 North Winooski Avenue; demolish all buildings, construct 2 new connected three story buildings with a total of 22 residential units and 1 commercial unit. Parking for 22 units will be provided on-site. One space parking waiver toward the commercial use. Shared access drive with abutting



ZP 13-1262CA as approved August 2013, above and As proposed, below.



property (264 North Winooski Avenue) included with a companion application.
Approved August 7, 2013.

256-258 North Winooski Avenue

- **Zoning Permit 83-483**; Erect a freestanding sign. Approved October 1983.
- **Zoning Permit 83-127 (COA 83-031)**: Add a 36' x 40' building in the rear of the lot to be used for car repair and sales. Approved April 1983.

260-262 North Winooski Avenue

There are no zoning permits on file for this property.

Overview: This large scale mixed-use project was approved in August 2013. Currently agreements are pending to transfer ownership to another entity, who wishes to make window and siding changes, with re-arrangement of some building elevations.

Recommendation: 256-262 North Winooski Avenue was a complicated, Major Impact project that underwent multiple reviews prior to receiving approval in August of 2013. Based on the prior extended review under Article 6 of the previously approved plan, and the standards that continue to be in effect, **denial** is recommended for the window substitution per the following findings. Alteration of window openings and siding changes on the building elevations as they face each other may be considered as an appropriate adjustment for resident privacy with minimal observable change to the public.

I. Findings

Article 3: Applications, Permits and Project Reviews

Section 3.2.7 Administrative Review and Approval

(a) Administrative Authority

10. Simple renovations in design control districts such as door and window changes, re-siding, re-roofing, enclosing porcheses, adding a shed or garage...that otherwise comply with all applicable dimensional standards of Article 4 and the development review criteria of Article 6.

The applicant asserts that the now proposed windows were in fact previously reviewed by the Development Review Board, and were intended for the original project. The project folder does not contain these drawings, nor were they part of the submission packet submitted by the property owners and distributed to and reviewed by board members, or posted on the web. The proposed windows are not illustrated on the approved plans. During the deliberative session and as part of the findings the DRB referred to the energy efficiency studies associated with the originally chosen windows as elaborated by the property owners. This amendment is for wholesale replacement of the approved window selection with those of a different style/configuration and is not the same component as reviewed in previous hearings; therefore this modification is not "*simple renovations in a design control district.*" Finally, as there exists a permit condition relative to the originally submitted window choice, administrative authority is not appropriate.

Article 4: Zoning Maps and Districts

No changes proposed to the site plan.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

No change proposed.

Part 2: Site Plan Design Standards

No change proposed.

PART 3: ARCHITECTURAL DESIGN STANDARDS

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

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

The following shall be considered:

1. Massing, Height and Scale:

No change proposed.

2. Roofs and Rooflines.

No change proposed.

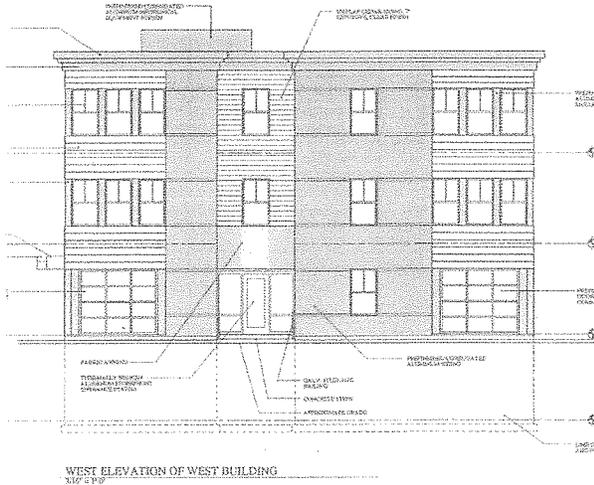
3. Building Openings

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.

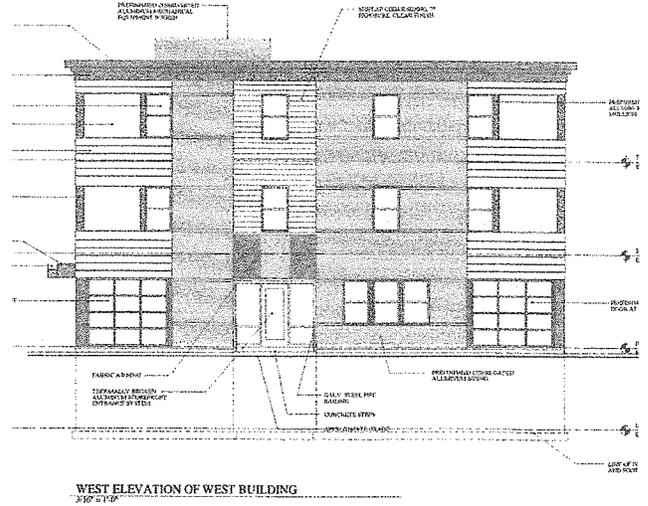
No change.

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.

Herein lies a major change. The approved windows; 2/1 configuration as individual units, grouped in threes on the primary façade and along the most prominent corners, provided a common thread and consistency in design. A fine-ness was inherent in their detailing, with window openings “broken up” with sash arrangement (2 sash over a single sash, or 2/1). In their



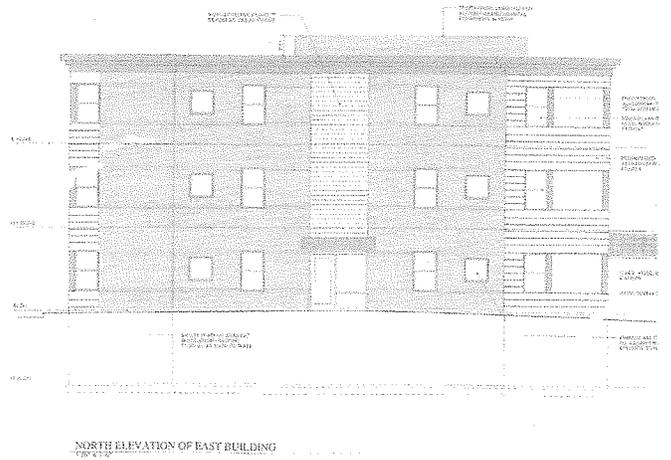
As approved



and proposed



As approved



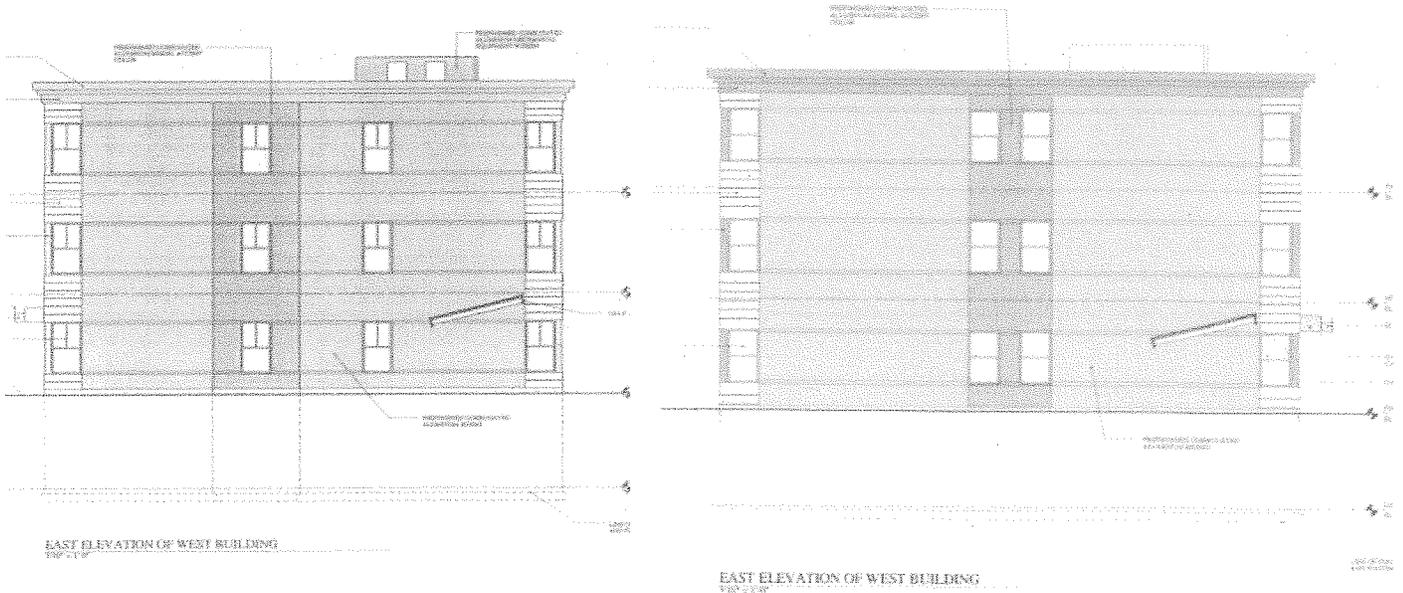
and proposed

array, these windows were aligned to correspond to each other (grouped) and to relate to others within each façade (arranged in “columns”) that provided verticality by singular design and façade agreement to the whole. In their carefully arranged regularity, the windows became an elegant counterpoint to the horizontality of the modern (corrugated and shiplapped) sheathing materials. It was an architectural composition that worked, and was supported by both the DAB and DRB.

This proposal is to replace all 2/1 double hung windows with 1/1, and to replace the grouped double hung sash on primary facades and corners with a picture window/single sash assembly. Other alterations include a group of 3 double hung windows on the first floor (west elevation of west building) and re-alignment of windows along the building fronts as they face each other (east elevation of west building, west elevation of east building.)

While the number of windows may remain the same, the effect is in comparison, dramatic. Certainly the balance of the building design has been altered by the proposal to change the windows. This certainly is a case of a single building component recognized as an integral part of an overall, comprehensive design – which now lacks that polish and refinement. The application inherently suggests that a window is just a hole in the wall through which light and air pass: The new 1/1 windows look unanimated and vacant, and the picture windows oddly out of character with the rest of the structure. The very sense of place, with a reference to brownstone like-multistory urban residential architecture, articulated in a modern vocabulary, has been lost in the watering of the earlier design. Suddenly the structural mass becomes all the more apparent. The very uniqueness of the building bravado abruptly looks stylistically spasmodic. As a whole, the design has lost its originality and freshness gained from the agreeable constituent parts.

The simplification of the sheathing and re-arrangement of window openings on the two facing facades is understandable from a resident use perspective; however these appear to result in floor plan alterations. A revised floor plan for each building should be submitted, as appropriate, if approved.



As approved

and proposed

Adverse finding for 1/1 and picture windows. Affirmative finding if conditioned, for window arrangement/siding alteration on east elevation of the west building, and west elevation of the east building.

(b) Protection of Important Architectural Resources:

No change.

(c) Protection of Important Public Views:

No change.

(d) Provide an active and inviting street edge:

The proposed design incorporates variations along the street edge, including planar variation, material differentiation, trim/spandrel/cornice accentuation, and fenestration arrangement that activate and provide interest to the building.

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.

The street-level unit is proposed to be reserved for commercial use. The window arrangement continues to meet the requirement for large, transparent opening for such non-residential use. The plan includes garage-style storefronts and a triple group of doublehung windows (west elevation, west building), which will provide an existing, open sense for the first floor commercial space.

Windows of residential units along the first floor that front North Winooski Avenue are minimal. No frosted glass is proposed. The minor setback from the sidewalk provides adequate measure of distance for privacy purposes.

Affirmative finding.

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.

No change.

(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.

Metal trim and fiberglass windows are proposed (however unique triple pane uPVC windows were put forward by the owner.) A spec sheet for the newly proposed windows has not been

submitted as of this date. If a different material than originally approved, revised specification sheets need to be submitted. **Affirmative finding as conditioned.**

(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.

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.

All requirements for energy efficient construction pursuant to the requirements of Article V, Energy Conservation, Section 8 of the City of Burlington Code of Ordinances must be met to the satisfaction of Burlington Electric Department. It is not known if the triple pane windows referenced by the building owner are the intended component here, or a different window altogether. Clarity is needed. **Affirmative finding as conditioned.**

(g) Make advertising features complementary to the site:

No signage is proposed.

(h) Integrate infrastructure into the building design:

No change.

(i) Make spaces secure and safe:

Development shall be required to meet all required building and life safety code, and meet ingress/egress requirements as defined by the building inspector and the fire marshal.

Affirmative finding as conditioned

Article 8: Parking

No change is proposed.

II. Recommended conditions if approved

1. The applicant shall submit revised floor plans reflecting the re-arrangement of windows on the east elevation of the west building and the west elevation of the east building, as appropriate.
2. Window spec sheets for the proposed windows shall be submitted prior to release of the zoning permit.
3. All requirements for energy efficient construction pursuant to the requirements of Article V, Energy Conservation, Section 8 of the City of Burlington Code of Ordinances must be met to the satisfaction of Burlington Electric Department.
4. All conditions included within ZP 13-1262CA/MA not herein altered shall remain in effect.
5. 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.

RECEIVED
JUN 17 2013

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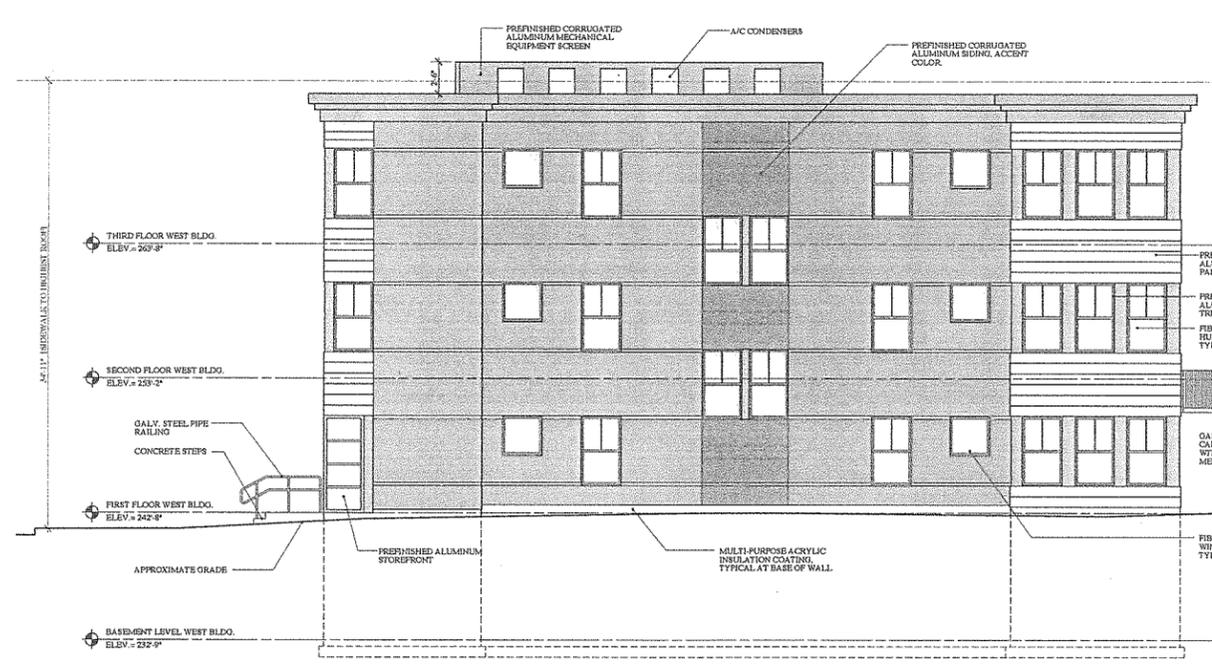
SAS PROJECT NO. 0338
PROJECT
260 NORTH
WINOOSKI
AVENUE
BURLINGTON, VT

DATE: JUNE 14, 2013
SCALE: AS NOTED
CHECKED:
DRAWN:

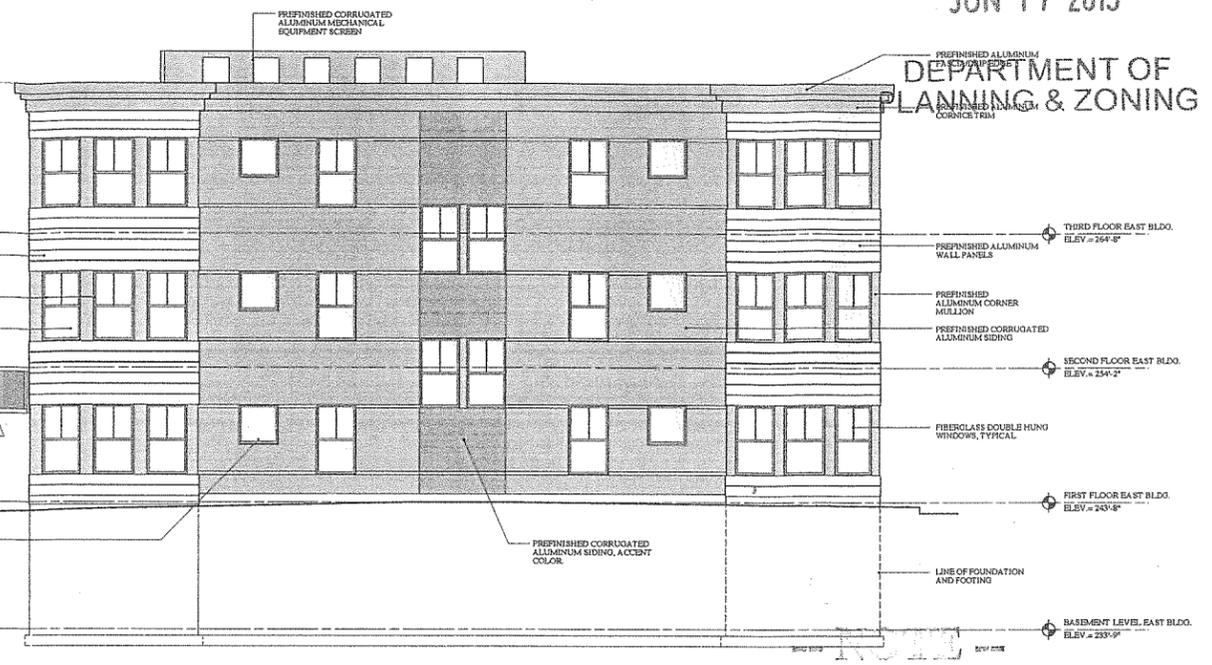
ZONING SUBMISSION

BUILDING
ELEVATIONS

A-4.1



SOUTH ELEVATION OF WEST BUILDING
3/16" = 1'-0"

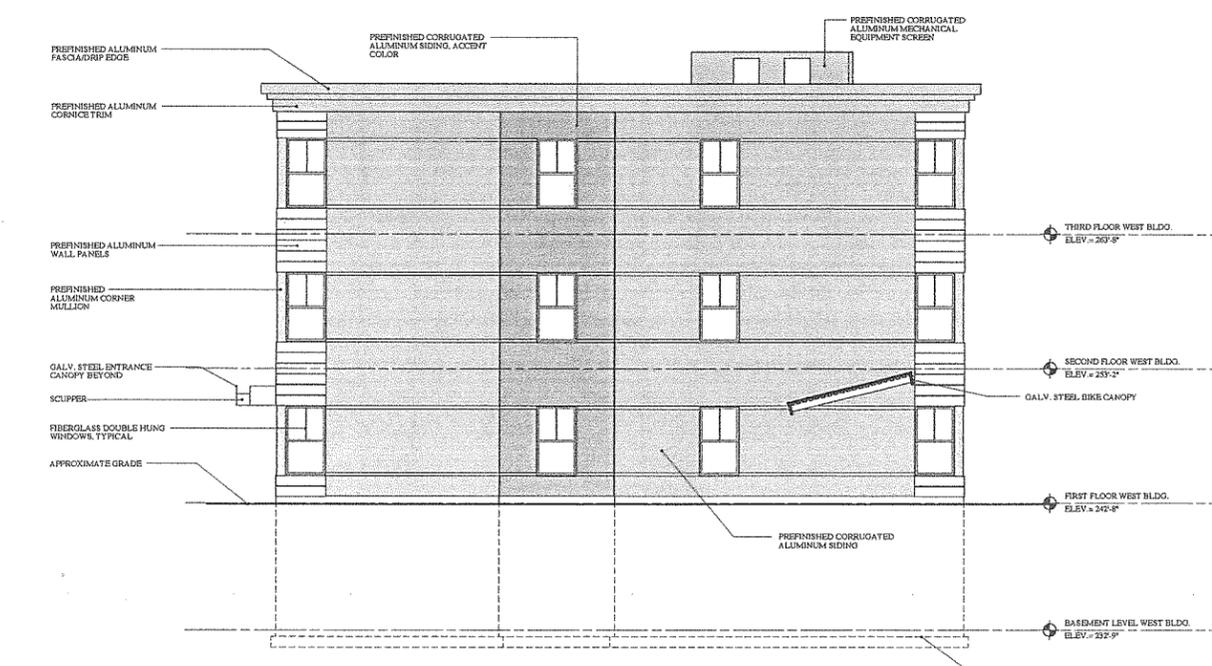


SOUTH ELEVATION OF EAST BUILDING
3/16" = 1'-0"

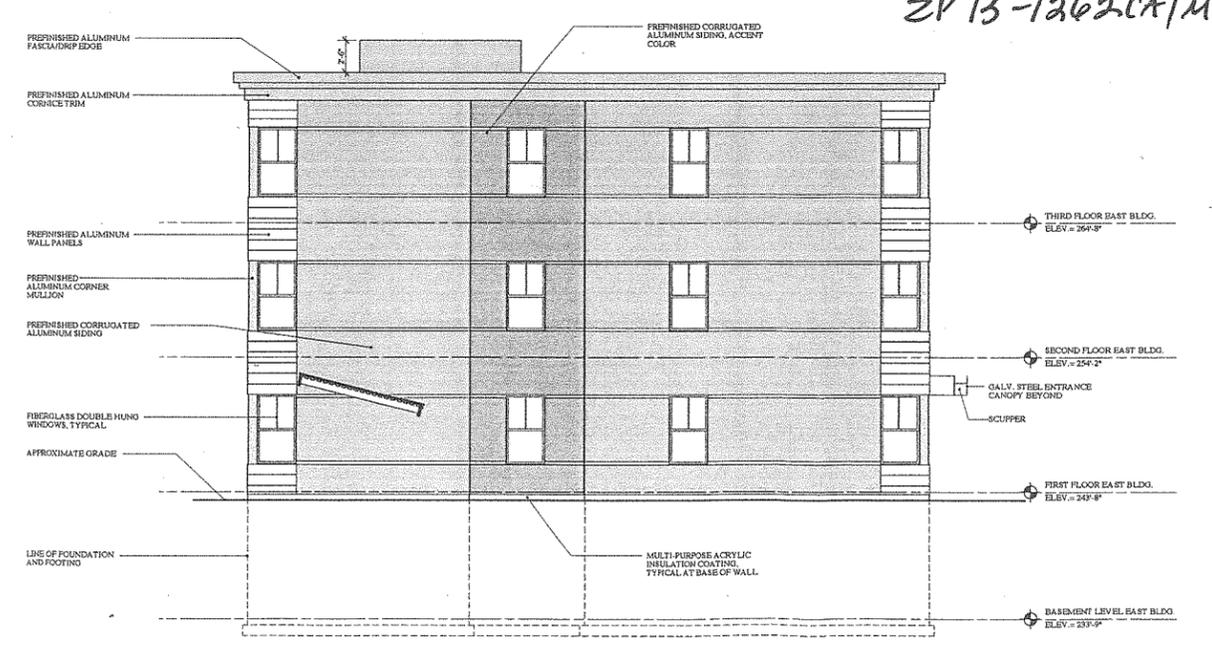
ANY MODIFICATIONS OR DEVIATIONS FROM THESE PLANS REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION. ALL ERRORS IN DIMENSIONS, PLANS OR DETAILING ARE FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL
SIGNED *[Signature]* DATE 8/7/13
PLANNING & ZONING DEPARTMENT
BURLINGTON, VERMONT

2P 13-1262CA/MA



EAST ELEVATION OF WEST BUILDING
3/16" = 1'-0"



WEST ELEVATION OF EAST BUILDING
3/16" = 1'-0"

Approved 8/13

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DEPARTMENT OF
PLANNING & ZONING

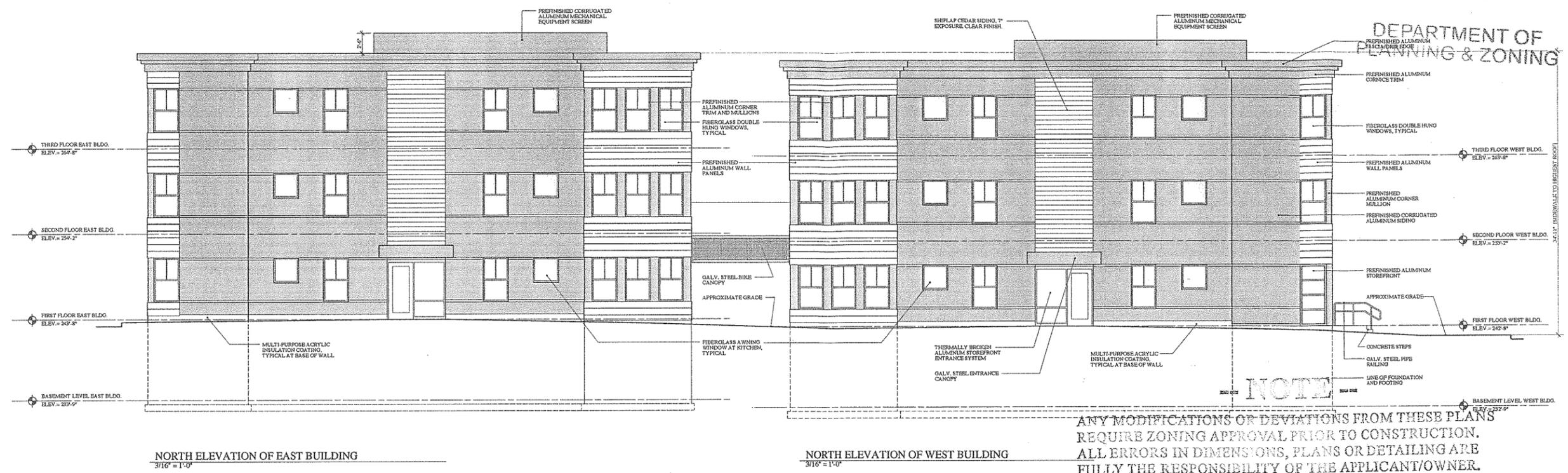
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SAS PROJECT NO. 0338

PROJECT
260 NORTH
WINOOSKI
AVENUE
BURLINGTON, VT
DATE: JUNE 14, 2013
SCALE: AS NOTED
CHECKED:
DRAWN:
REVISIONS

ZONING SUBMISSION
BUILDING
ELEVATIONS

A-4.0



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BURLINGTON, VERMONT
zP13-1262CA/MA



Approved 8/13

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SAS PROJECT NO. 0338

PRACTICE
260 NORTH
WINOOSKI
AVENUE
BURLINGTON, VT

DATE: SEPTEMBER 25, 2013
SCALE: AS NOTED
CHECKED:
DRAWN:

REVISIONS

BUILDING
ELEVATIONS

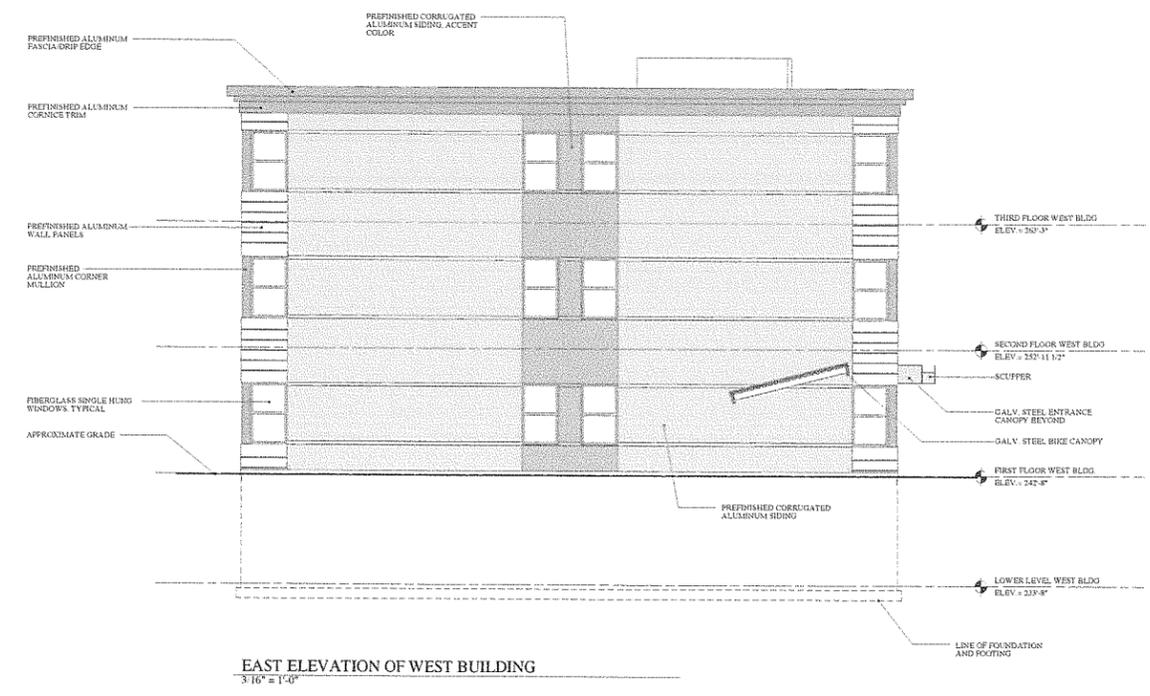
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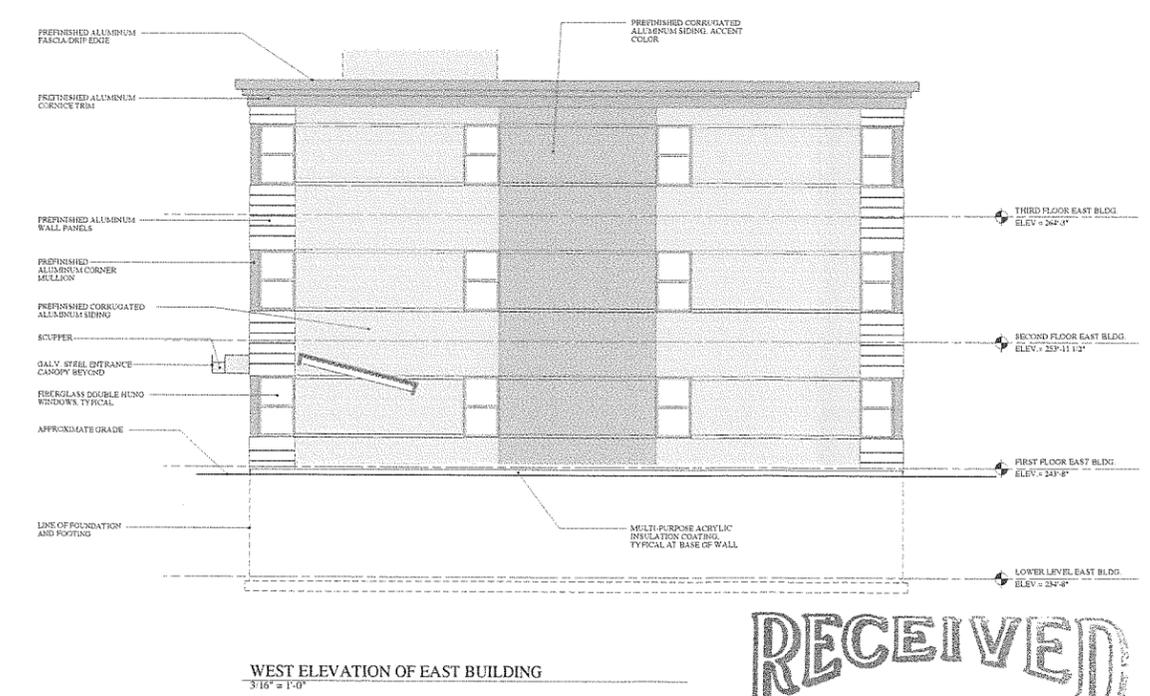
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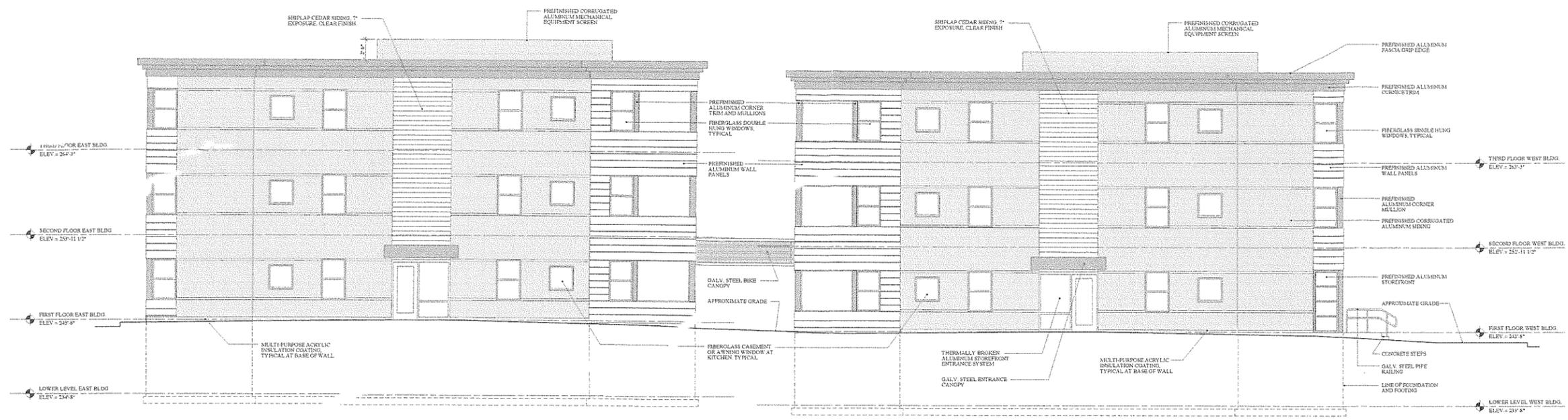


WEST ELEVATION OF EAST BUILDING
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Proposed

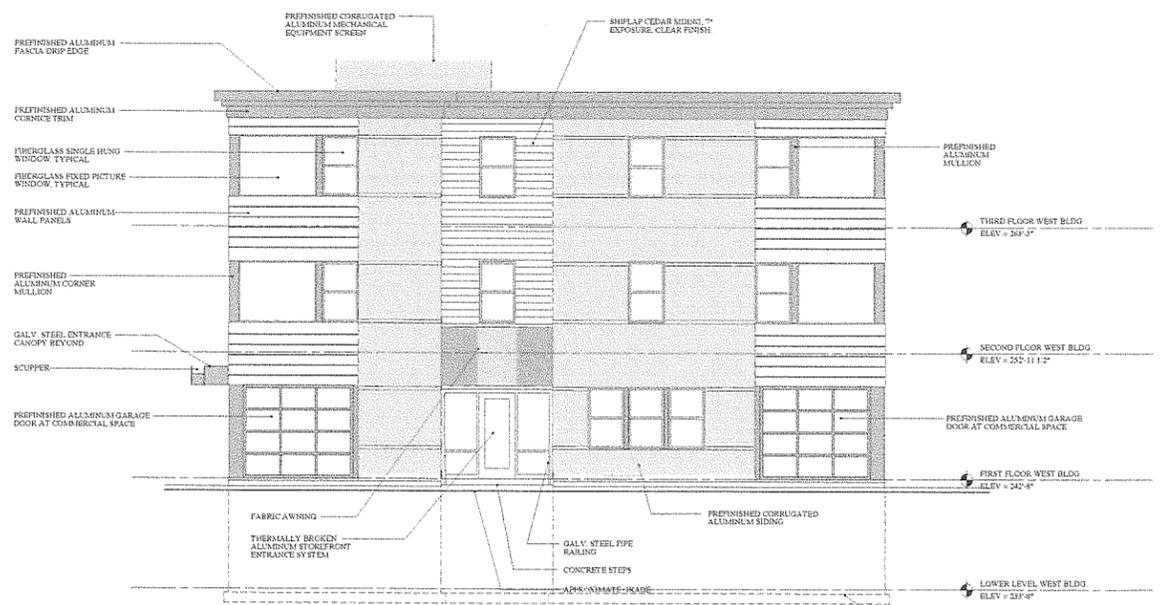
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SEP 26 2013

DEPARTMENT OF
PLANNING & ZONING

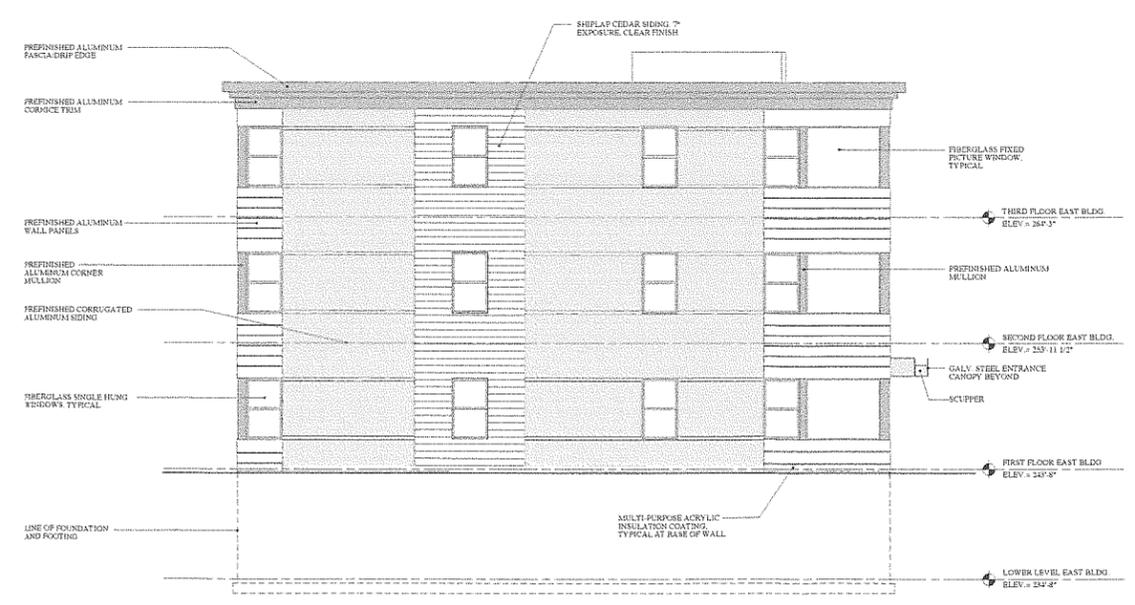


NORTH ELEVATION OF EAST BUILDING
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NORTH ELEVATION OF WEST BUILDING
3/16" = 1'-0"



WEST ELEVATION OF WEST BUILDING
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EAST ELEVATION OF EAST BUILDING
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SAS PROJECT NO. 0338

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BURLINGTON, VT

DATE: SEPTEMBER 25, 2013
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DRAWN:

REVISIONS

BUILDING
ELEVATIONS

A-4.0

Proposed

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SEP 26 2013

DEPARTMENT OF
PLANNING & ZONING



Department of Planning and Zoning

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Burlington, VT 05401 -8415
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www.burlingtonvt.gov/pz

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SEP 26 2013

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 256-258 & 260-262 North Winooski Avenue
PROPERTY OWNER *: 256-262 North Winooski Avenue LLC
APPLICANT : Erik Hoekstra, Redstone
POSTAL ADDRESS: P.O. Box 1332
CITY, ST, ZIP: Burlington, VT 05401
DAY PHONE: (970) 846-4834
EMAIL: gatesgooding@gmail.com
SIGNATURE: [Signature]

Description of Proposed Project : Minor exterior changes to approved multifamily project: convert 2-over-1 double hung windows on approved elevations to picture window and 1-over-1 single hung window more consistent with final renderings presented to DRB but not on approved elevation drawings. Also simplify siding layout on elevations not visible from street.

Existing Use of Property: [] Single Family [] Multi Family: # ___ Units [X] Other: mixed use
Proposed Use of Property: [] Single Family [] Multi Family: # ___ Units [X] Other: mixed use

Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes [] No []

For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes [] No []

Are you proposing any work within or above the public right of way? Yes [] No []

Estimated Construction Cost (value) *: \$ no additional constr cost \$30,000 cost of windows

- Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit)
- A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire.
- Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only : Zone: Eligible for Design Review? Age of House Lot Size
Type: SN AW FC BA COA 1 COA 2 CO A 3 CU MA VR HO SP DT MP
Check No. 987 Amount Paid \$170 Zoning Permit # 13-1262CA/MA