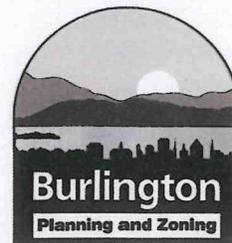


Department of Planning and Zoning

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MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP, Senior Planner *none*
RE: ZP 14-0499CA/MA; 237 North Winooski Avenue
Date: November 12, 2013

File: ZP 14-0499CA/MA
Location: 237 North Winooski Avenue
Zone: NMU **Ward:** 2
Date application accepted: October 23, 2013
Applicant/ Owner: Hot Eats, Cool Treats LLC (Redstone) / Kathy Goguen
Estimated Construction Cost: \$3,000,000
Request: Demolish former Dairy Queen / currently "Q-Tee-s" restaurant, redevelop site with a single building of 28 residential units and approx. 1,500 sf commercial space. Parking is proposed to be on grade located under the building in an open garage.



Background:

- Sketch Plan Review 14-0238SP, September 2013.

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).

- **Non-applicability of Zoning Permit Requirements;** handicap ramp, 90 day temporary permit. April 2010.
- **Non-applicability of Zoning Permit Requirements;** repair front of building after auto collision into structure. February 2010.
- **Zoning Permit 08-574SN;** replace parallel sign with QTee's sign. Approved March 2008.
- **Zoning Permit 91-276;** construct sloped parapet roof on flat section of Dairy Queen. Approved March 1991.
- **Zoning Permit 86-521;** Delineate boundary line between 237 North Winooski and 42 Decatur Street. October 1986.
- **Permit #65-286;** addition to Dairy Queen. Approved October 1964.
- **Permit #65-235;** Demolish 4 apartment house. (Formerly 229-233 North Winooski Avenue). New occupancy/use; restaurant. Approved September 1964.

Overview: The former Dairy Queen, constructed in 1964, is proposed to be demolished and replaced with a mixed use building containing 28 residential units and approximately 1,500 sf of commercial space. Parking is proposed to be at grade behind streetfront commercial.

PART 1: LAND DIVISION DESIGN STANDARDS

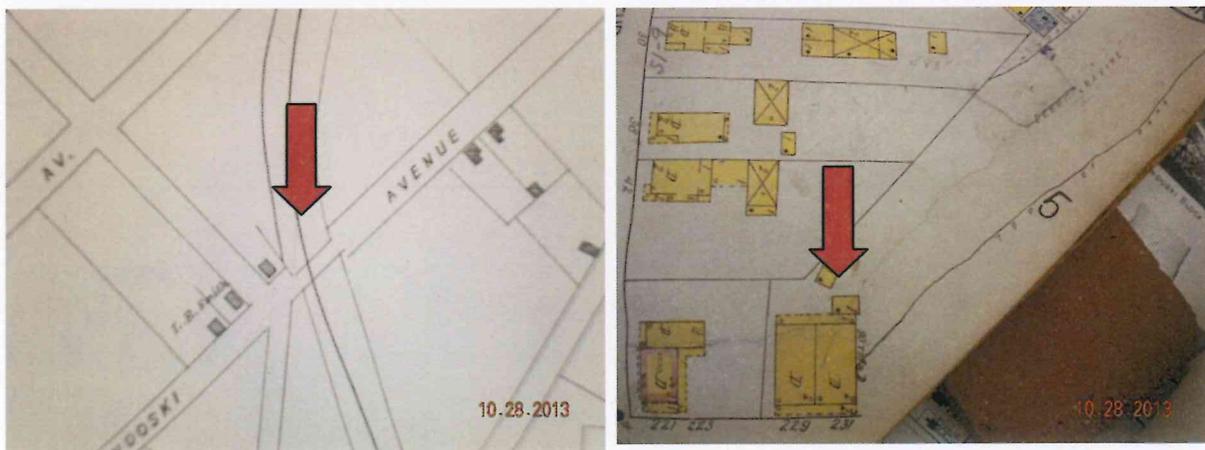
Not applicable.

PART 2: SITE PLAN DESIGN STANDARDS

Sec. 6.2.2 Review Standards

(a)Protection of Important Natural Features:

The site was formerly part of Burlington's ravine, and specifically the location of the rail line as



identified on the 1853 Presdee Edwards map (See above, left.) By 1918, a two story structure had been constructed at the westerly portion of the lot (See 1918 Sanborn map detail, above

right.) The ravine bank is illustrated both north and east. The eastly side of the parcel remains above the top of the embankment. The applicant has presented that the fill material includes coal ash from the Moran site; however the 1954 utility significantly post-dates this infill, and it is unlikely the provenance of the identified fill. In any event, Phase I and II assessments have been completed, and identify issues that will need to be addressed to assure compatibility with residential use.

No above-grade natural features remain.

(b) Topographical Alterations:

Plan C1.1 does not illustrate any proposed changes to the topography of the site.

(c) Protection of Important Public Views:

There are no protected public views from the site; however the design firm has submitted projected views easterly along North Winooski Avenue for project review.

(d) Protection of Important Cultural Resources:

The former Dairy Queen building is not listed on the State or National Register of Historic Places.

(e) Supporting the Use of Renewable Energy Resources:

During Technical Review the applicant has shared the desire to include project planning to allow for future solar; however active renewable energy options are not included at this point.

(f) Brownfield Sites:

Plan C1.0, Existing conditions, identifies the presence of Monitoring Wells. A Phase I and II site assessments have been completed for this property. The applicant will be required to demonstrate compliance with any site treatment or mitigation as determined by the State of Vermont Department of Environmental Conservation (DEC.) Any modified site or other design plans resulting from the mitigation will need to be considered in the project review.

(g) Provide for nature's events:

An Erosion Prevention and Sediment Control (EPSC) plan have been submitted to the City Stormwater administrator for her review and approval. The building envelope itself has provisions for the safe shelter for residents/visitors with canopies proposed at the front (south) elevation and under the building at the parking area.

(h) Building Location and Orientation:

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

The site plan illustrates the building front aligned with the curb and “completing” the street front between the adjacent Multi-Gen center (241 North Winooski Avenue) and the corner residential building at 221 North Winooski Avenue.

Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curbline and the building face to facilitate the flow of pedestrian traffic.

Footnote 4 in Table 4.4.2-1 requires a 12’ setback from the curb. The scale is not accurate on the submitted site plan due to image reduction; therefore difficult to discern the actual plan setback. But notations offer that the building is proposed to be 6’ from the front property line, and 7.7’ from the sidewalk. As there is a significant ROW between the sidewalk and the street, it appears reasonable to assume that the proposed structure will exceed the 12’ required setback from the curb. Once confirmed this will provide ample area for pedestrian traffic, as required.

In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

Colorized modeling studies illustrate a three story building that is largely broken up by colored panels and a minor surface recess above the front residential access door. The street elevation is defined by a greater amount of glazing (principally at the commercial area), with smaller sidelight area around the resident entry portal. An exaggerated canopy detail wraps around the first floor from the residential entrance door to the east side. Collectively, these efforts break up the long, box-like façade.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street.

The residential entry door is identified by a canopy (which appears to be slightly within the public ROW – if so, than an encroachment agreement with DPW and City Council would be necessary.) The commercial entrance door is arranged with the larger glazed area. It is expected that, appropriate lighting and signage will be used to better identify the commercial entrance.

Accessory buildings shall be located in such a way so as to be deferential and secondary to the principal structure. Under no circumstances shall a parking structure – either attached or detached - be located closer to the front property line than a principal residential structure, and where a front yard setback is required, any street-facing garage wall containing garage doors shall be set back a minimum of 25’ from the front property line to prevent parked vehicles from blocking the public sidewalk.

The parking area is placed behind the structure, and therefore meets the setback standard. As proposed, parked cars will not block the public sidewalk.

The enclosure for the dumpster is proposed to be located behind the entire parking/residential structure. In location, the enclosed structure meets the requirement to be deferential to the principal structure. However, concerns with the design and dumpster location are discussed below.

Where a garage is not oriented towards the street (i.e. the garage doors face the rear or side of the property), the street-facing garage wall shall have windows or doors or other features that

break-up the mass into smaller elements, and be blended with the character of the residential portion of the structure.

The proposed parking area is situated at grade in the rear of the ground level of the building, and under the 2nd floor; with open walls. As soil contamination from fill from allegedly preclude ground disturbance, little to no excavation is proposed. An existing basement (under D-Quees) is proposed to be retained.

It is not clear how the open garage structure may affect the neighboring multi-gen center, particularly as the children's playground is immediately adjacent to his property and children are playing in close proximity to the site. Otherwise, the parking location may be little different than the existing condition relative in its proximity to the neighboring parcels.

(i) Vehicular Access:

Curb cuts shall be arranged and limited in number to reduce congestion and improve traffic safety. A secondary access point from side roads is encouraged where possible to improve traffic flow and safety along major streets. The width and radius of curb cuts should be kept to the minimum width necessary, and sight triangles and sufficient turnarounds for vehicles shall be provided to reduce the potential for accidents at points of egress.

Plan CC1.1 defines the elimination of an existing curb cut at the west, and widening the existing curb cut on the east. DPW traffic engineering staff requested a traffic brief verifying site distances and estimating traffic generated by site versus traffic from current use. It was suggested at that time that some further analysis may be appropriate. Sight lines for vehicles exiting the driveway also need to be considered.

Residential driveways shall be a minimum of 7 feet in width or consist of two 1.5' driveway strips. Driveway strips shall be accompanied by a paved area for the parking and/or storage of motor vehicles. The maximum width for single or shared access driveways shall be 18'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines.

The proposed access drive is given as 19'+/-, which is acceptable for a two-lane passage. There are 0' setbacks within this zoning district (except when directly abutting a residential zoning district – at the rear), so minimum sideyard setbacks do not apply.

Driveways for commercial properties may require a traffic study to identify the impacts of the movement of traffic to and from the property, and design for safe access. Access for service and loading areas should be located behind buildings or otherwise screened from streets or public ways with landscaping or other barriers. Whether commercial or residential, shared driveways are encouraged, where possible and appropriate.

As previously noted, an expanded traffic brief may be required, as this development proposal falls immediately opposite a newly approved mixed use project which collectively will increase the amount of traffic on the street.

There is no identified area for service or loading vehicles; an important consideration for the proposed commercial (restaurant) use. There is, however, on-street parking immediately in front of this parcel as corroborated by DPW which may be signed for a one or two space truck loading zone. Continued discussion with DPW officials will assist in this matter.

(j) Pedestrian Access:

Pedestrians shall be provided one or more direct and unobstructed paths between a public sidewalk and the primary building entrance. Well defined pedestrian routes shall be provided through parking areas to primary building access points and be designed to provide a physical separation between vehicles and pedestrians in a manner that minimizes conflicts and improves safety. Where sidewalks and driveways meet, the sidewalk shall be clearly marked by differentiated ground materials and/or pavement markings.

Both the residential entrance and the commercial entrance are proposed to be immediately adjacent to the public sidewalk. If additional access is provided within the rear area of the structure, it may be appropriate to include a sidewalk to the parking garage area; clearly separate and discernible from the vehicular path.

(k) Accessibility for the Handicapped:

Special attention shall be given to the location and integration of accessible routes, parking spaces, and ramps for the disabled. Special attention shall also be given to identifying accessible access points between buildings and parking areas, public streets and sidewalks. The federal Americans with Disabilities Act Accessibility Guidelines (ADAAG) shall be used as a guide in determining the adequacy of the proposed development in addressing the needs of the disabled.

ADA requirements will apply. It is noted that an elevator is included within the floor plan. The applicants shall work with the building inspector to confirm compliance with all applicable codes.

(l) Parking and Circulation:

To the extent possible, parking should be placed at the side or rear of the lot and screened from view from surrounding properties and adjacent public rights of ways. Any off-street parking occupying street level frontage in a Downtown Mixed Use District shall be setback from the edge of the front property line in order to provide space for active pedestrian-oriented uses. Where street-level parking is provided within an existing structure, the cars shall be screened from the sidewalk and the area shall be activated with landscaping, public art, or other design amenities. Parking areas of more than 20 spaces should be broken into smaller areas separated by landscaping.

Parking is proposed at street level; however will be screened from public view by the first floor commercial space and the residential access and laundry room sited between the parking garage and the street. The view from neighboring properties may demand greater screening; for aesthetics if not for fume and noise minimization. Plan C1.1 identified "existing concrete wall with fence." The applicant shall confirm whether these will remain.

It is not know if the Multi-Gen Center's outdoor enjoyment space may be impacted by the open parking garage. Mitigation from automotive sound and exhaust may be appropriate.

It would be difficult to include landscaping within the parking structure as it is shielded from sun and rain. An effort should be made to increase landscape amenities elsewhere on the site.

Attempts to link adjacent parking lots or provide shared parking areas which can serve neighboring properties simultaneously shall be strongly encouraged.

Shared access or parking is not included as part of this development.

Parking shall be laid out to provide ease in maneuvering of vehicles and so that vehicles do not have to back out onto city streets. Dimensions of spaces shall at a minimum meet the requirements as provided in Article 8. The perimeter of all parking areas shall be designed with anchored curb stops, landscaping, or other such physical barriers to prevent vehicles from encroaching into adjacent green spaces.

The parking access is provided via a double wide two-way lane; entering mid-structure at grade. From plan A201, it appears that easterly exterior parking spaces will be accessed by pulling-through from the entrance lane, rather than “stacked” from the interior. This “pull-through” access for exterior parking spaces may cause some confusion for the central access point, as exiting drivers will not anticipate vehicles moving in front of them. The arrangement appears to present additional vulnerability to the support columns for the structure as cars will be driving around/through them from both sides

On examination, a car accessing the garage “entrance” will not likely be able to pull into spot 14 (or maybe even 13 or 15) without a multi-point turn, as the radius would be too tight.

Only 15% of parking may be considered for “compact” parking. 15% of 28 spaces = 4 spaces. Spaces 1, 19, 2, and 18 are 8’ in width; therefore “compact” parking. Space 24 does not appear to be a full size parking space. The applicant needs to confirm dimensions of all parking.

The applicant shall confirm that all spaces have the required 24’ in back-up space. (Compact spaces – 20’.)

Two handicap parking spaces are illustrated.

Surface parking and maneuvering areas should be shaded in an effort to reduce their effect on the local microclimate, air quality, and stormwater runoff with an objective of shading at least 30% of the parking lot. Shading should be distributed throughout the parking area to the greatest extent practical, including within the interior depending on the configuration. New or substantially improved parking areas with 15 or more parking spaces shall include a minimum of 1 shade tree per 5 parking spaces with a minimum caliper size of 2.5”-3” at planting. Up to a 30% waiver of the tree planting requirement may be granted by the development review board if it is found that the standard requirement would prove impractical given physical site constraints and required compliance with minimum parking requirements. All new shade trees shall be: of a species appropriate for such planting environments, expected to provide a mature canopy of no less than 25-feet in diameter, and selected from an approved list maintained by the city arborist. Existing trees retained within 25-feet of the perimeter of the parking area (including public street trees), and with a minimum caliper size greater than 3-inches, may be counted towards the new tree planting requirement.

Parking is proposed behind a portion of the first level of the structure and below the remainder of the building, so shading will not be a requirement. However, the applicant has proposed 3 new trees on-site and 2 within the public ROW. Species choice shall be determined in concert with the City arborist.

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

It appears that pedestrian access is planned to be through the front door (or from the residential apartments) through the building and into the parking garage area. There is no identified path along the vehicular driveway.

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

The enclosed bike parking area is shown with an entrance door to the side yard (Plan C1.1) which does not appear to be independently accessible without navigating through vehicular parking, including a handicap parking space. Plan A2.1 shows a different access. Bike parking access shall be evaluated for its effectiveness. Short-term bicycle parking is provided within the parking garage, directly behind the commercial space. Other, public bicycle parking may be arranged, as necessary, with DPW and within the substantial public ROW. Further discussion, if warranted may be fruitful in this regard.

(m) Landscaping and Fences:

The existing site is now almost completely covered. Coverage limitations are 80% in the NMU; project redevelopment is charted at 86% coverage. This is certainly less than the existing conditions and lessens the degree of non-conformity. From the plans, it is assumed that the rear of the lot is proposed to be returned to vegetation; however no information is provided other than an existing chain link fence is proposed to be replaced with a wood stockade fence.

Given the intensity of residential development proposed, it would be a great amenity to provide a thoughtful and functional landscaping plan that would serve as an amenity to residents and visitors. To limit coverage to the 80% CDO limitation would move the site toward complete compliance.

(n) Public Plazas and Open Space:

Where public open space is provided as an amenity to the site plan, it should be sited on the parcel to maximize solar exposure, with landscaping and hardscape (including fountains, sitting walls, public art, and street furniture) to encourage its use by the public in all seasons. Public plazas should be visually and physically accessible from public rights-of-ways and building entrances where appropriate and shall be designed to maximize accessibility for all individuals, including the disabled and encourage social interaction.

Public space should be coordinated with the surrounding buildings without compromising safety and visibility. Public spaces should be surrounded by active uses that generate pedestrian traffic, and connect the space to major activity centers, streets, or corridors.

While there is no identified “public plaza”, this redevelopment has the potential to provide a public meeting space / usable plaza for tenants and visitors to the commercial space. Thoughtful exploration of the streetfront, the commercial use, and site enhancements should increase the pleasantness of the site; the function of the uses, and maximize solar exposure while activating

the streetscape and the proposed uses. A patio, fabricated from pervious block pavers is proposed immediately in front of the commercial entrance. As there is some encroachment into the public right-of-way; required City Council approvals and agreements need to be in place if this component remains as proposed.

The applicant is also notified that the building inspector will require ADA access for the new development. Further discussion will be required with the Department of Public Works to determine extent and compliance.

New structures and additions to existing structures shall be shaped to reduce shadows on public plazas and other publicly accessible spaces. In determining the impact of shadows, the following factors shall be taken into account: the mass of area shaded, the duration of shading, and the importance of sunlight to the utility of the type of open space being shadowed. Proposed development shall be considered for solar impact based the sun angle during the Vernal and Autumnal equinox.

A shadow study has been submitted and is attached. For the most part, shadow effects fall toward the north/east, between this structure and the adjacent Multi-Gen Center. .

(o) Outdoor Lighting:

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

Under canopy recessed lighting is proposed on the front (south) elevation. An exterior light fixture is proposed at the elevator access at the rooftop. This light will need to be full-cutoff.

No lighting has been defined for the parking area; this will need to meet the standards of **Sec. 5.5.2 (f), Parking Lot Lighting** which applies to any un-enclosed level of a parking garage.

(p) Integrate infrastructure into the design:

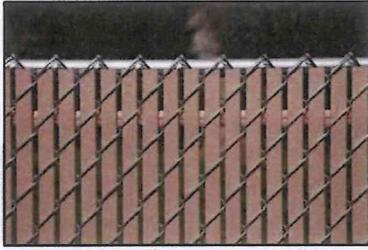
Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be place underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

| The existing basement (from Q-Tees) is proposed -as a mechanical/electrical area. (Plan A2.1.) However, utility connections are not illustrated on the site plan or building elevations. This needs to be completed.

A dumpster is proposed at the rear of the structure. Proposed screening is chain link with privacy ribbons. While certainly sturdy as planned, the design leaves much to be desired for its aesthetic. The “slats” are soon broken and displaced, and the result is an unattractive, noisy cage. Here is an opportunity to incorporate a functional need within new development, rather than include an under-designed, ill performing -and unattractive structure in a significant development proposal. As situated, it is challenging to imagine how a commercial trash hauler would access the pen for traditional service.



While this cage may effectively screen the trash from view and prevent it from blowing around the site, design review anticipates a much more attractive, well-designed, well positioned and accessible enclosure to benefit the overall project.

As has become commonplace, HVAC equipment is proposed to be piled on the rooftop; presumably set back far enough to avoid visual evidence from the sidewalk. It is likely, however, these will be readily visible (and perhaps audible) to the abutting westerly residential neighbor. More information is requested to discern anticipated noise levels from the units. Greater encouragement is offered to *plan within the development* the location of mechanicals, rather than add them to the structure after-the-(design) fact. Perhaps these could be re-located to the existing basement area; secured from public access and out of the public viewscape.

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:

In the NMU zone, building height is limited to a minimum of 20' and maximum of 35'. See Table 4.4.2-1, with footnotes. As a three story structure, it assumes a similar mass to the recently approved 256-262 North Winooski Avenue mixed use building, the Legal Aid building, and the adjoining Multi-Gen Center.

2. Roofs and Rooflines.

A flat roof, with mechanicals arranged on the roof -is proposed. This, too, echos existing and anticipated approved development on the street.

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.

The principle residential entrance is identified by a canopy; the commercial space by broad glazing, a colorful mini-canopy and recessed lighting.

The applicant has assured that ADA access will be met in the new construction.

The rear parking area will provide an additional area for shelter from inclement weather for residents. The applicant has not specifically defined snow storage; however since all parking is proposed under the 2nd story, only access lanes will need to be plowed. The location of snow storage, or its proposed removal, needs to be defined.

Building entrances along North Winooski Avenue will need to be cleared from snow after a weather event. The applicant shall define who is responsible for that chore.

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.

Other than the stair tower/elevator assembly, the windows are arranged warehouse-like horizontally across the blocky frame. There is little variation or arrangement to inspire interest or enliven the building elevations.

The decorative band-like canopy along the commercial frontage will be required to meet the 8' height standard.

From Plan C1.1, the residential canopy appears to encroach within the public ROW. This shall be confirmed and required appropriate agreements shall be in place for any encroachment within the ROW.

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.

The west elevation contains windows (and a door – see color modeling image) within 5' of a property line at the west/rear of the structure. The bike storage room and elevator area do not contain windows. (See plan A2.1.) To meet this standard, there may not be any windows in the residential area over parking spaces 22 and 23 – presumably where paired single hung windows are now illustrated. Confirmation of this standard, and required building code, shall be discussed with the building inspector.

(b) Protection of Important Architectural Resources:

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

The existing structure is not on the Vermont or National Register of Historic Places.

(c) Protection of Important Public Views:

Development shall preserve distant terminal views of Lake Champlain and the Adirondack Mountains and important public and cultural landmarks from public places and along east-west public rights-of-way to the extent practicable. This shall not be construed to include similar views from exclusively private property.

There are no protected public views, distant terminal views of Lake Champlain or the Adirondack Mountains or cultural landmarks from this site.

Sensitivity shall be used in the massing of proposed development such that light and air is allowed to penetrate and some views may be preserved. Alternatives that extend access to such views by allowing public access into and through the proposed development are encouraged. In no case shall development be permitted to span across the public rights-of-way in such corridors.

The massing of the proposed development, although unrefined and raw, is not grossly dissimilar from the Multi-Gen Center or the newly approved mixed use residential building at 256-262 North Winooski Avenue. In its geometric volume, it too reflects earlier development at the Emergency Food Shelf building, immediately across the street.

(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.

Basic articulations are present: A projected canopy for the residential entrance, an articulated false canopy (illustrated in a bold color) for the proposed commercial space. The elevator/stair tower's function is obvious in its height, but the remaining building is massed like a lego structure; the only additional expression made in color.

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.

An expanse of glass defines the proposed commercial space; the residential entrance/laundry room identified with fewer and smaller windows. Visual interest is largely provided by material alteration, and anticipated lighting.

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.

While this is not a downtown district, Neighborhood Mixed Use spurs the challenge to create meaningful public space. The small patches of grass proposed as hyphens between the patio and residential entry are not likely to survive foot traffic. It may be well worth the effort to examine opportunities to create pleasant public space with street furniture, ornamental landscaping, public art, creative lighting or sitting walls.

(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.

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

Sheathing materials are proposed to be corrugated metal siding; stained shiplap cedar, aluminum, and fiber cement panels. Recently these materials have grown in favor with residential and mixed use development, creating what some term a metal siding phenomenon. While at the onset this formula was considered hip, modern, and cutting edge now threatens to quickly be deemed mediocre, overdone, even trite. None of these buildings (and materials) have been in place long enough to understand their durability.

Vinyl single hung windows are proposed for the residential portion of the building. These have never been considered quality components, and have been shunned in all but new construction in non-design control residential structures. If durability and quality are standards, the window choice falls short.

(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 new development is required to meet the Guidelines for Energy Efficient Construction as noted above.

The applicant does not intent to include solar as part of the project; however proposes to include the infrastructure (conduit) to allow for future adaptation. While this is to be noted, the actual installation and exercise of solar would be far more welcome than the promise. A building with this much potential for solar exposure on a very large roof expanse should seriously consider its inclusion as a residential benefit and infrastructure investment for the future.

(g) Make advertising features complementary to the site:

Where signs and other advertising features are proposed, the applicant shall meet the requirements as per Article 7 - Signs. The size, location, design, texture, lighting, and materials of all exterior signs and advertising features shall not detract from the use and enjoyment of proposed buildings or surrounding properties. National branding through signage and architecture shall be discouraged.

Any signs will require a separate sign permit.

(h) Integrate infrastructure into the building design:

Exterior machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory features shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties.

Rooftop mechanicals, including heating and cooling devices and elevator equipment, should be incorporated into the structure's design, and shall be arranged to minimize their visibility from the street level. Such features, in excess of one foot in height, shall be either enclosed within the roof structure, outer building walls, or parapets, or designed so that they are integrated into the overall design and materials of the building. Where such rooftop features do not exceed ten percent (10%) of the total roof area, they may be considered "ornamental and symbolic features" pursuant to Sec. 5.2.7 for the purposes of measuring building height.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 5 Performance Standards.

See 6.2.2. (p), above.

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

The applicant has proposed full sprinklering of the building. All required access and egress, as per building code and at the discretion of the building inspector and fire marshal, will be required.

Staff recommendation: Except where noted, the proposed building meets most minimal standards for new development. As a parking waiver is requested, a parking management plan will be required for review by the Development Review Board. See items for consideration, below.

Items for consideration:

1. If an access door is provided under the parking structure, a pedestrian path clear and discernible from the vehicular passageway should be incorporated from the sidewalk. Otherwise, pedestrians/residents are limited to access through the front door, and through the building to the parking area.
2. The trash/recycling enclosure is recommended for re-design to a higher standard for durability and aesthetic value. Relocation should also be considered to reduce or preclude noise and long backup access.
3. The applicant shall work with DPW to ascertain the need and potential for dedicating parking space(s) at the front for truck loading/delivery spaces.
4. Carshare cannot be identified within a Parking Management Plan unless there is a written agreement/contract between Carshare and the applicant; submitted as part of the parking management plan.
5. Species choice of new street trees shall be at the discretion of the city arborist.
6. An Erosion Prevention and Sediment Control Plan, as well as a Stormwater Management Plan shall be approved by the City Stormwater Administrator prior to release of the zoning permit.
7. A corrective action plan (CAP) shall be in place and all mitigation/avoidance procedures completed to the specifications of the Vermont Department of Environmental Conservation to assure compatibility with the proposed development and use.
8. Canopies, patios, or any other encroachment into the public right-of-way will require agreements and approval of the Department of Public Works and the City Council.
9. Windows and a door appear to be proposed within the required 5' setback on the westerly elevation. See Sec. 6.3.2. (a) 3.

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.

10. The small patches of grass proposed as hyphens between the patio and residential entry are not likely to survive foot traffic. The applicant is encouraged to develop

opportunities to create a pleasant public space with street furniture, ornamental landscaping, public art, creative lighting or sitting walls.

11. Windows of greater quality and durability than have been suggested are strongly encouraged for the new residential development.
12. The applicant shall confirm the size and back-up space provided within the parking area; no more than 15% of the total parking spaces can be compact.

GENERAL NOTES

- Utilities shown do not purport to constitute or represent all utilities located upon or adjacent to the surveyed premises. Existing utility locations are approximate only. The Contractor shall field verify all utility conflicts. All discrepancies shall be reported to the Engineer. The Contractor shall contact Dig Safe (888-344-7233) prior to any construction.
- Site information is based on a field survey performed by Civil Engineering Associates, Inc., August 2013. Civil Engineering Associates, Inc. survey orientation is "Grid North", Vermont Coordinate System of 1983 (Horizontal) and NAVD88 (Vertical) Established from GPS Observation on Site.
- Property line information is based on recorded deeds and plans abstracted from the City of Burlington Land Records. Monumentation recovered was consistent with the recorded documents.
- All existing utilities not incorporated into the final design shall be removed or abandoned as indicated on the plans or directed by the Engineer.
- The Contractor shall maintain as-built plans (with ties) for all underground utilities. Those plans shall be submitted to the Owner at the completion of the project.
- The Contractor shall repair/restore all disturbed areas (on or off the site) as a direct or indirect result of the construction.
- All grassed areas shall be maintained until full vegetation is established.
- Maintain all trees outside of construction limits.
- The Contractor shall be responsible for all work necessary for complete and operable facilities and utilities.
- The Contractor shall submit shop drawings for all items and materials incorporated into the site work. Work shall not begin on any item until shop drawing approval is granted.
- In addition to the requirements set in these plans and specifications, the Contractor shall complete the work in accordance with all permit conditions and any local Public Works Standards.
- The tolerance for finish grades for all pavement, walkways and lawn areas shall be 0.1 feet.
- Any dewatering necessary for the completion of the sitework shall be considered as part of the contract and shall be the Contractor's responsibility.
- The Contractor shall coordinate all work within Town Road R.O.W. with Town authorities.
- The Contractor shall install the electrical, cable and telephone services in accordance with the utility companies requirements.
- Existing pavement and tree stumps to be removed shall be disposed of at an approved off-site location. All pavement cuts shall be made with a pavement saw.
- If there are any conflicts or inconsistencies with the plans or specifications, the Contractor shall contact the Engineer for verification before work continues on the item in question.
- Property line information is approximate and based on existing tax map information. This plan is not a boundary survey and is not intended to be used as one.
- If the building is to be sprinklered, backflow prevention shall be provided in accordance with AWWA M14. The Site Contractor shall construct the water line to two feet above the finished floor. See mechanical plans for riser detail.

LEGEND

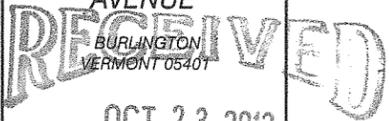
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- PROPOSED CONTOUR
- APPROXIMATE PROPERTY LINE
- IRON ROD/PIPE FOUND/SET
- CONCRETE MONUMENT
- SS GRAVITY SEWER LINE
- W WATER LINE
- OE OVERHEAD ELECTRIC
- UE UNDERGROUND ELECTRIC
- G GAS LINE
- MW MONITORING WELL
- ⊕ POWER POLE
- ⊕ CATCH BASIN
- ⊕ LIGHT POLE
- ⊕ SIGN
- ⊕ DECIDUOUS TREE
- ⊕ CONIFEROUS TREE
- FENCE

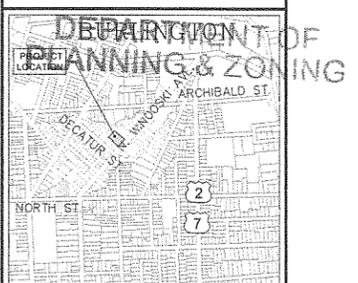
SITE ENGINEER:

CIVIL ENGINEERING ASSOCIATES, INC.
 10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
 802-864-2322 FAX: 802-864-2271 web: www.ces-va.com

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 APPROVED: PBS

APPLICANT:
HOT EATS, COOL TREATS, LLC
 210 COLLEGE STREET
 SUITE 201
 BURLINGTON
 VERMONT 05401

PROJECT:
237 NORTH WINOOSKI AVENUE
 BURLINGTON VERMONT 05401

 OCT 23 2013

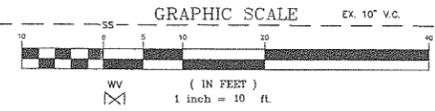
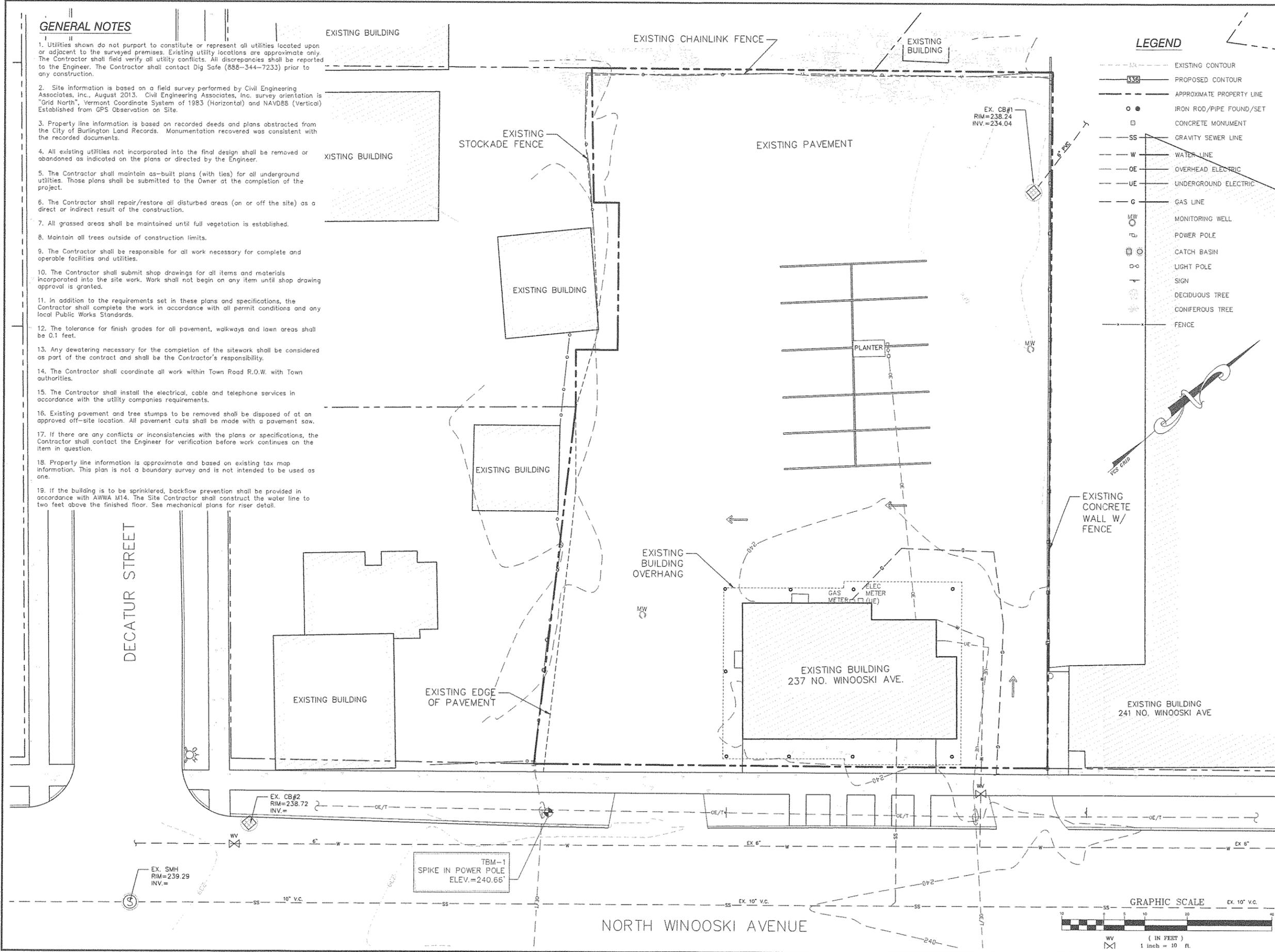


LOCATION MAP
 1" = 1000'

DATE	CHECKED	REVISION
10.18.13	PBS	LOCAL SUBMITTAL

EXISTING CONDITIONS SITE PLAN

DATE: SEP. 4, 2013
 SCALE: 1" = 10'
 PROJ. NO: 13203
 DRAWING NUMBER: **C1.0**



GENERAL NOTES

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LEGEND

- - - - - EXISTING CONTOUR
- 336 --- PROPOSED CONTOUR
- - - - - APPROXIMATE PROPERTY LINE
- - - - - SETBACK LINE
- ● IRON ROD/PIPE FOUND/SET
- CONCRETE MONUMENT
- - - - - SS GRAVITY SEWER LINE
- - - - - W WATER LINE
- - - - - OE OVERHEAD ELECTRIC
- - - - - UE UNDERGROUND ELECTRIC
- - - - - G GAS LINE
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- ⊕ POWER POLE
- ⊕ CATCH BASIN
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- DECIDUOUS TREE
- CONIFEROUS TREE
- - - - - FENCE

SITE ENGINEER:



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

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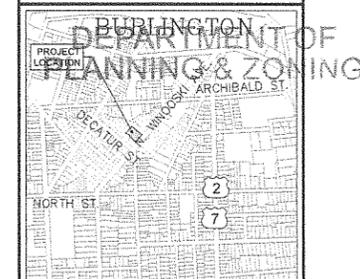
OWNER:

HOT EATS, COOL TREATS, LLC
210 COLLEGE STREET
SUITE 201
BURLINGTON
VERMONT 05401

PROJECT:

237 NORTH WINOOSKI AVENUE

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LOCATION MAP
1" = 2000'

DATE	CHECKED	REVISION
10.18.13	PBS	LOCAL SUBMITTAL

PROPOSED CONDITIONS SITE & UTILITY PLAN

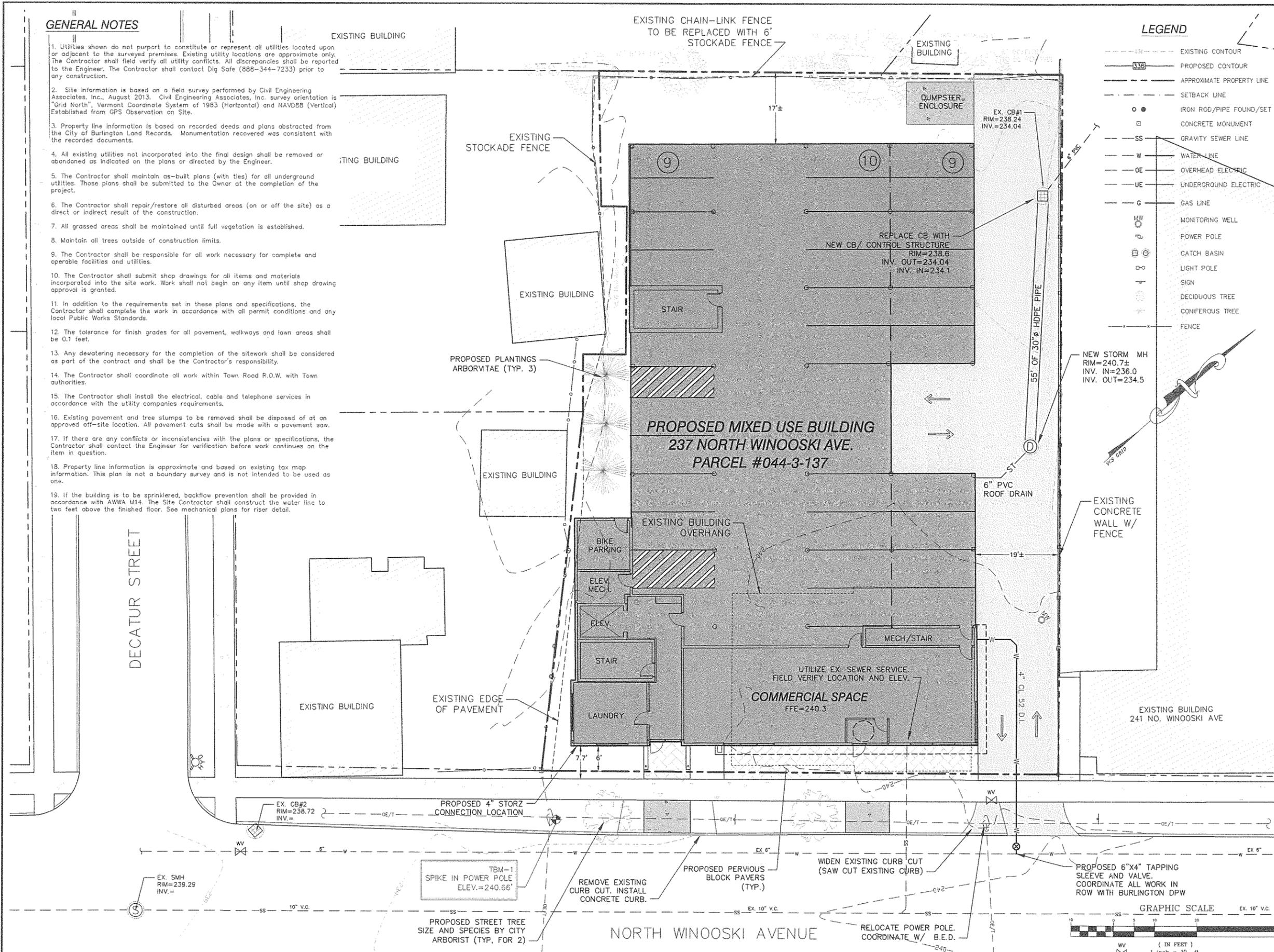
DATE
SEP. 4, 2013

SCALE
1" = 10'

PROJ. NO.
13203

DRAWING NUMBER

C1.1



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- Room Legend**
- COMMERCIAL
 - ELEV
 - EMR
 - ENTRY
 - LAUNDRY
 - MECH/ELEC
 - STAIR A
 - STAIR B
 - STOR/BIKE
 - VESTIBULE

GENERAL BUILDING INFORMATION:

APARTMENTS:	
EFFICIENCY:	6
1 BEDROOM:	14
2 BEDROOM:	8
TOTAL:	28
TOTAL PARKING SPACES: 28	
SQUARE FOOTAGE:	
FIRST FLOOR:	11,912
SECOND FLOOR:	11,658
THIRD FLOOR:	11,658
TOTAL SF:	35,228

Zone: Neighborhood Mixed Use District (NMU)
 2.0 FAR
 80%
 Front = 0, Side = 0, Rear = 0
 *Note: A 15 foot setback is required at rear where property abuts a residential zoning district.
 Height: 35 Feet

Lot Coverage:
 Lot Size: 0.43 Acres, 18,644 Square Feet
 Proposed Lot Coverage: Building Square Footage = 11,912 SF
 Parking/Drives/Walks = 4,099 SF
 Square Footage = 16,011 SF
 Percent Coverage = 86%

Parking:
 District: Shared Use District (Apartment=28)
 Proposed parking spaces = 28
 Commercial space: 28 spaces required
 Tenant type and use are still to be determined.

Building Information:
 Use Group: Mixed Use - R2 Residential = base of design and most restrictive
 S2 - Low Hazardous Storage - Open Parking Garage
 B - Business - Commercial Space
 5B - Apartment Building and Commercial Spaces.
 2B - Parking Garage Structure
 34'-6" Not including roof top incidentals.
 Total includes all stories = 35,228 SF

Type of Construction:
 Proposed Building Height:
 Proposed Building Square Footage:

ZONING SUMMARY
 1" = 1'-0"

SCOTT + PARTNERS
 ARCHITECTURE
 20 MAIN ST., ESSEX JUNCTION, VT 05452
 P. 802.879.9153 | F. 802.872.2764 | SCOTTPARTNERS.COM

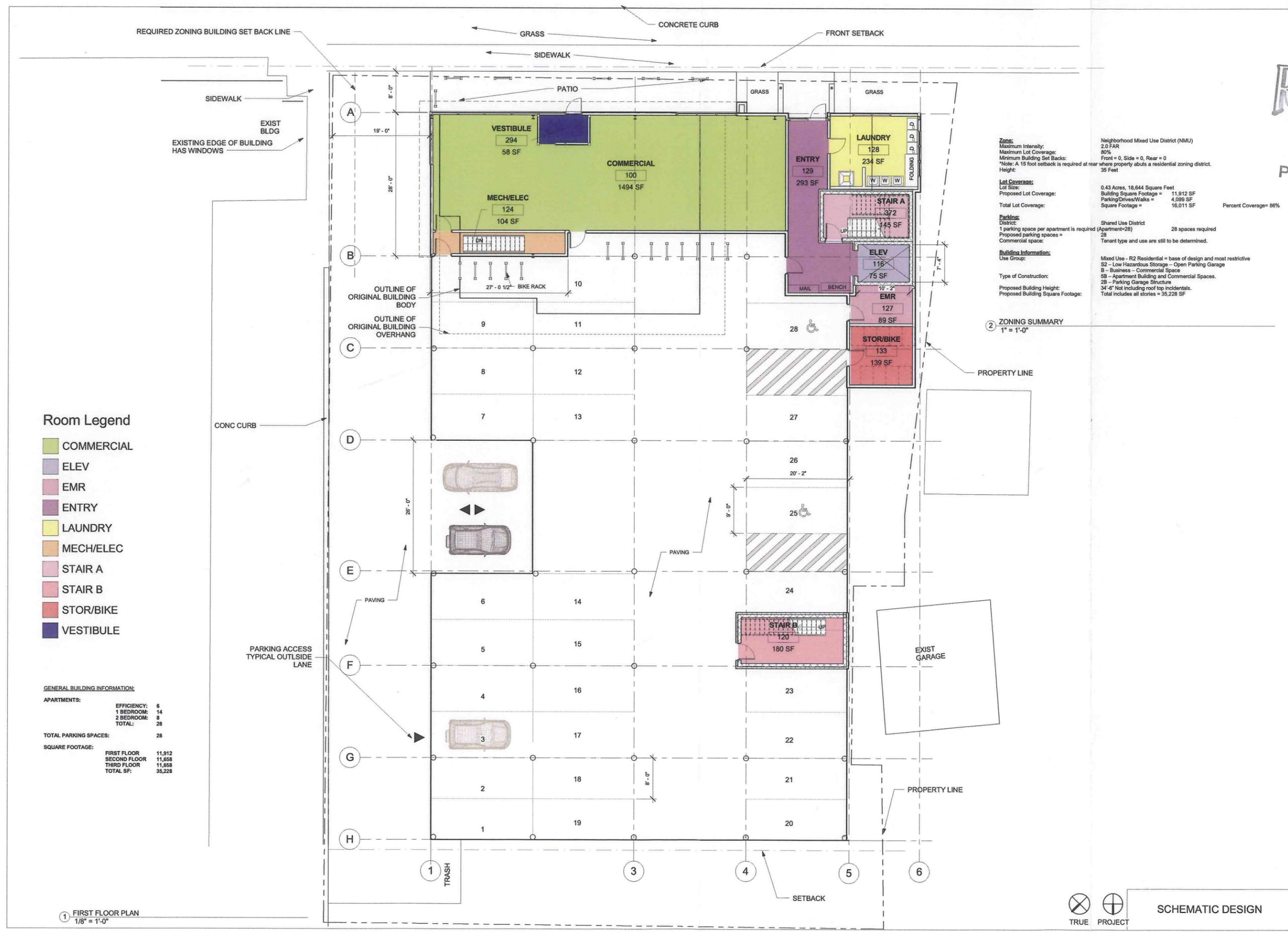
project name:
237 NORTH WINOOSKI AVENUE
 OPTION B

scale: As indicated
 project no. 13-939
 checked by: *
 drawn by: JRP/KT
 date: 10/18/2013

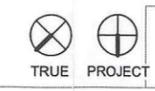
Date	Revisions

sheet title:
GROUND FLOOR PLAN

sheet no.
A2.1



1 FIRST FLOOR PLAN
 1/8" = 1'-0"



SCHEMATIC DESIGN

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SCOTT + PARTNERS
 ARCHITECTURE
 20 MAIN ST. ESSEX JUNCTION, VT. 05452
 P. 802.879.6153 F. 802.872.2184 SCOTT+PARTNERS.COM

project name:
237 NORTH WINOOSKI AVENUE

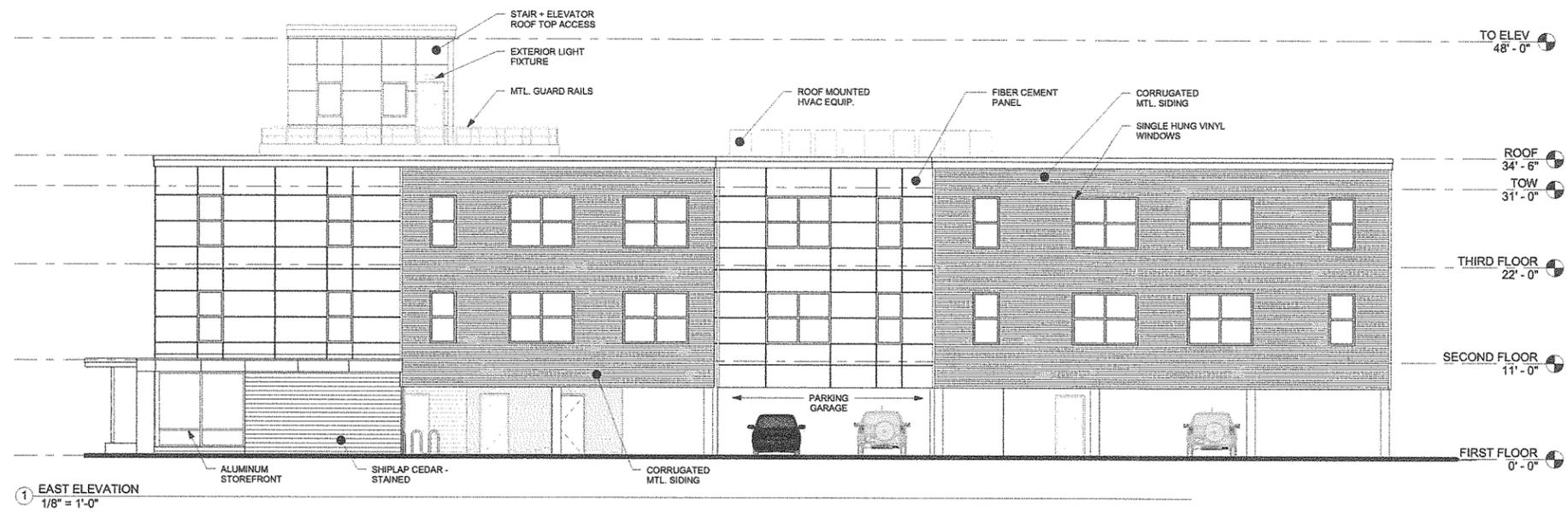
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 project no. 13-939
 checked by: Checker
 drawn by: Author
 date: 10/18/2013

Date	Revisions

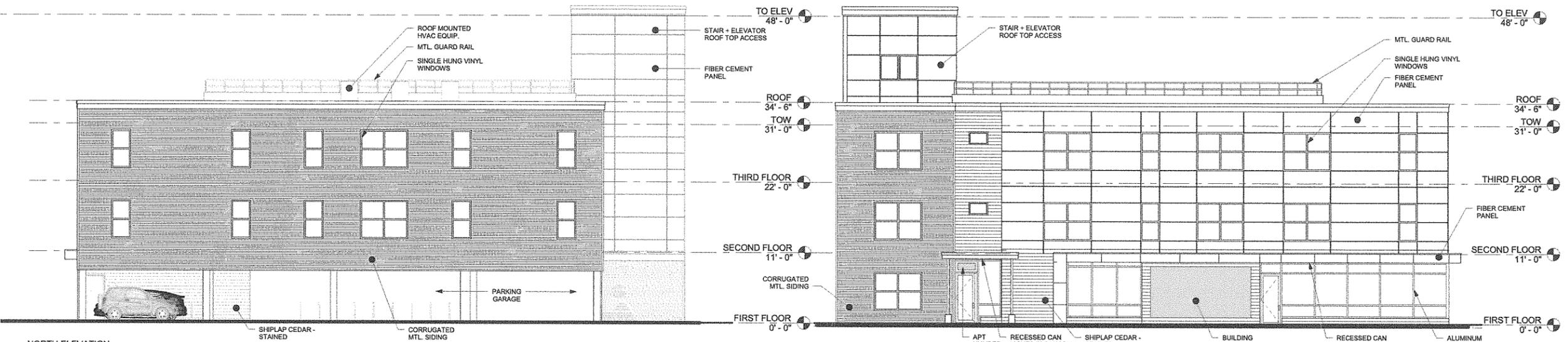
sheet title:
EXTERIOR ELEVATIONS

sheet no.
A4.1

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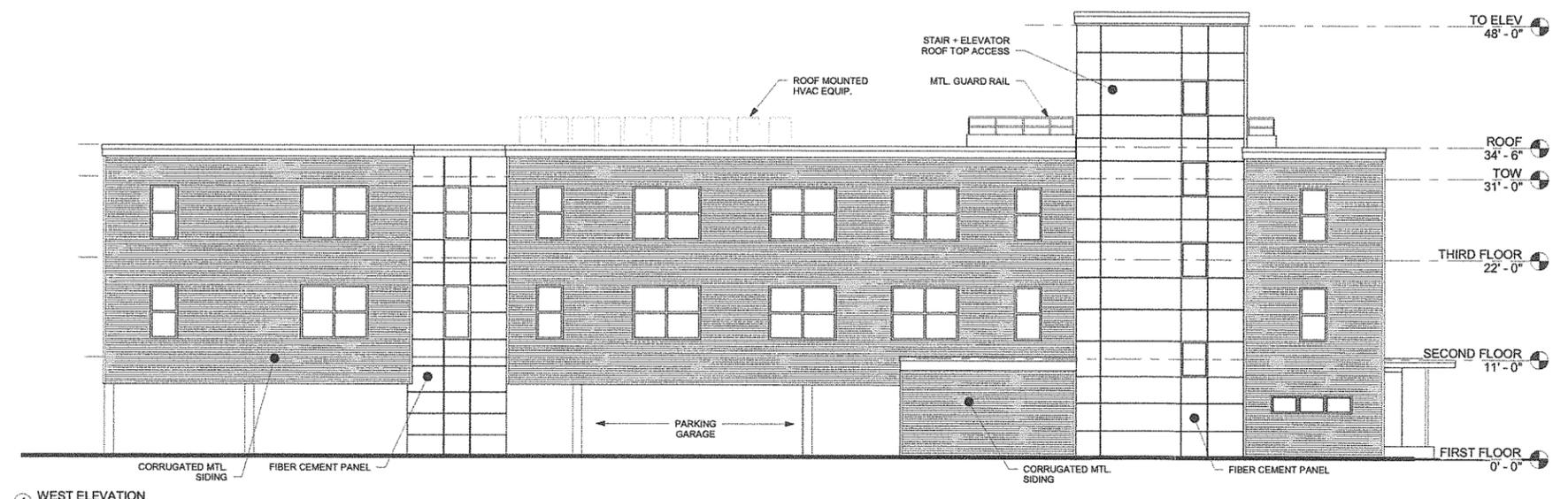


1 EAST ELEVATION
 1/8" = 1'-0"



2 NORTH ELEVATION
 1/8" = 1'-0"

3 SOUTH ELEVATION
 1/8" = 1'-0"



4 WEST ELEVATION
 1/8" = 1'-0"

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237 North Winooski Ave. Apartments
Burlington, Vermont



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237 North Winooski Ave. Apartments
Burlington, Vermont

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237 North Winooski Ave. - Existing
Burlington, Vermont

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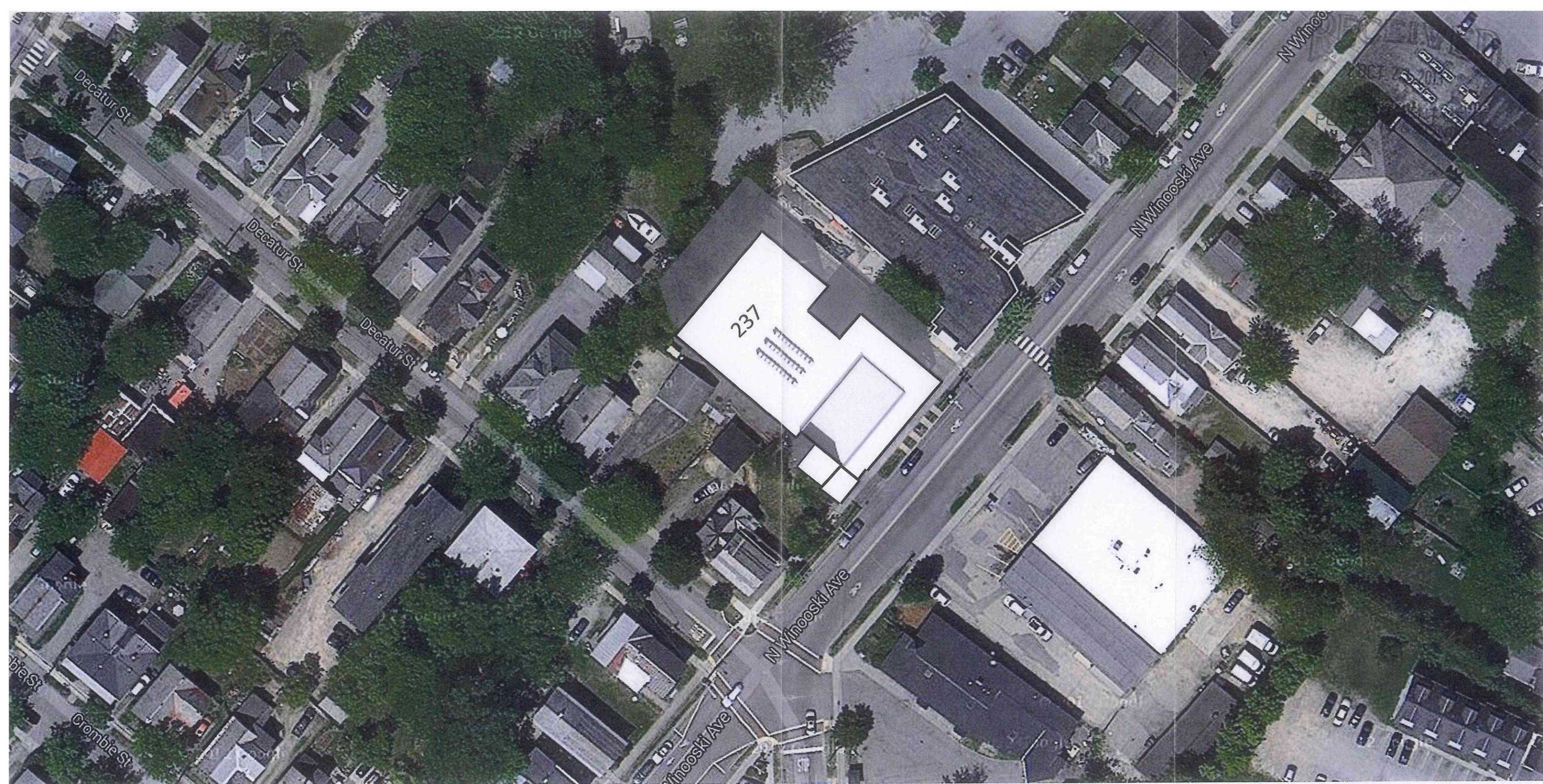
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237 North Winooski Ave. Apartments
Burlington, Vermont





237 North Winooski Ave. Apartments

Shadow Study based on the Fall Equinox

Burlington, Vermont