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MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP, Senior Planner
RE: ZP 14-0909PD 112-114 Archibald Street
14-0910PD 27 Bright Street
14-0911PD 35-39 Bright Street
14-0912PD 47 Bright Street
Date: May 13, 2014

File: ZP 14-0909PD 112-114 Archibald Street
14-0910PD 27 Bright Street
14-0911PD 35-39 Bright Street
14-0912PD 47 Bright Street

Zone: NMU **Ward:** 2

Date application accepted: April 14, 2014

Staff Site visit: May 6, 2014

Applicant/ Owner: Michael Wisniewski of Duncan Wisniewski Architects/Champlain Housing Trust in partnership with Housing Vermont

Request: Preliminary Plat review to demolish 3 existing residential buildings (retain the duplex at 27 Bright Street) and construct 4 new residential buildings and associated site improvements. Two existing units at 27 Bright Street plus 42 new units for a 44-unit development.



Background:

112-114 Archibald Street

- 14-0026SP; 112-114 Archibald Street, Sketch Plan Review, August 6, 2013.
- Request to operate an automotive garage, body and fender service and used car sales at 114 ½ Archibald Street, **Denied**, September 1964. (Had been operating without a permit.) Front building identified as a fish market.

27 Bright Street

Not proposed to be altered.

35-39 Bright Street

- No zoning permits on file for this property.

47 Bright Street

- **Zoning Permit 98-475**; Installation of a stockade style fence across the front property line of the single family home. Approved May 1998.
- **Zoning Permit 97-593**; Construction of a single story attached rear shed, measuring 13'10" x 20' on existing concrete slab for the existing single family home. Materials to be T-111. Approved July 1997.

Overview: Champlain Housing Trust, partnered with Housing Vermont seeks to combine four parcels (58,977 sf) with 14 existing residential units; redevelop the site retaining one duplex (27 Bright Street) with construction of four new buildings providing 44 residential units, 42 of them new. Proposed for demolition are 114 Archibald St. (9 residential units), 35 Bright Street (1 unit) plus outbuildings, and 47 Bright Street (1 unit.) New development will include construction of 2 duplex townhouses, one triplex, and one three story, 35 unit structure on the interior. The development will provide a net gain of 31 new residential units. All parking is proposed for an enclosed parking structure, except for 2 surface parking spaces at the Archibald duplex, for a total of 44 + 4 at existing (unaltered) 27 Bright Street.

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Sec. 6.1.2 Review Standards

The Bright Street Cooperative neighborhood will combine the four parcels owned by Champlain Housing Trust. 27 Bright Street will be subdivided as a separate lot, per the submission narrative, yet continue to be operated by CHT.

Part 2, Site Plan Design Standards

Sec. 6.2.2. Review Standards

(a) Protection of important natural features

There are no important natural features on the subject properties. Green space is generally open grassy area with scattered trees. Approximately 8 trees are proposed for removal, located within the site and possibly some around the perimeter near foundation excavation locations. See plan

L1.0 for tree and fencing demo diagram. A landscaping/planting plan has been submitted (see Plan L2.0.) The species proposed within the greenbelt on Bright Street will require consultation and approval of the City Arborist. **Affirmative finding as conditioned.**

(b) Topographical alterations

The site slopes slightly downward from east to west. Slight modification to the grade will be required to facilitate the development. Due to the parking garage ramp and entrance off of Archibald Street, in combination with the first floor pedestrian entrance to the 35 plex off of Bright Street, existing grades will be modified. **Affirmative finding as conditioned.**

(c) Protection of important public views

There are no significant public views from or through the property. Not applicable.

(d) Protection of important cultural resources

Two properties are currently listed on the Vermont State Register of Historic Resources. See Section 5.4.8, below.

(e) Supporting the use of alternative energy

The roof of the 35-plex is designed for photo-voltaic panels, but it is not known until further build-out if funding will allow their inclusion. In any case, they are encouraged. **Affirmative finding.**

(f) Brownfield sites

The property is included on the Vermont DEC Hazardous Site List as a brownfield with PAH contamination. The development is enrolled in the BRELLA program (formerly the RCPP or Redevelopment of Contaminated Properties Program and CHT is pursuing and EPA brownfield clean-up grant. A Corrective Action Plan will be required by DEC for PAH impacted soils on the site prior to development. **Affirmative finding as conditioned.**

(g) Provide for nature's events

As reviewed by the Conservation Board, the project proposes 100% infiltration with no connection to the City stormwater system.

Although there is only an access drive and 2 on-grade parking spaces, an area of snow storage (or a plan for removal) will be required. The garden shed at Archibald Street prohibits consideration at the end of that parking area; and the raised wall abutting the access driveway at the boundary line makes snow storage there improbable.

There are several open porches that will provide respite from inclement weather for building residents. **Affirmative finding as conditioned.**

(h) Building location and orientation

Street front buildings along the periphery of the development line up with adjacent structures and reinforce the existing streetscape. The large 35-unit center building is located in the interior behind these new street front buildings. This location avoids disruption of the existing street edge and mitigates the mass of this building as perceived from the street. **Affirmative finding.**

(i) Vehicular access

One vehicular access point, from Archibald Street, will be provided into the site. A curb cut and driveway exist under current conditions but will be modified to accommodate the proposed development. Adequate access for emergency vehicles and fire apparatus must also be assured; the applicant provides that the fire marshal has approved both with consideration of the access alley from Bright Street that includes a mountable curb and concrete paving. This approval shall be required in writing. **Affirmative finding as conditioned.**

(j) Pedestrian access

All of the new street edge buildings have front walkways that connect to the public sidewalk system. The interior building will connect to the public sidewalk system via new interior walkways. The newly modified driveway appears to preserve the continuity of the public sidewalk across it. It is not clear if the hashed marks that parallel the entrance drive are intended to be another pedestrian path or are illustrated for another matter. See Plan L2.0. **Affirmative finding.**

(k) Accessibility for the handicapped

The narrative says: "The design will meet applicable state and federal handicapped accessibility requirements for both site and units. All units in the 35plex meet FHA requirements and 5% will meet UFAS and be fully accessible." Additional explanation of the availability of h/c parking will be required. **Affirmative finding as conditioned.**

(l) Parking and circulation

All new parking will be located under the central building. Two surface parking spaces are proposed behind the duplex at 112-114 Archibald Street; there are four existing parking spaces at 27 Bright Street. As details of the interior parking garage have not been submitted, the sufficiency of interior circulation cannot be assessed.

Exterior bicycle parking is illustrated on plan L2.0. It is not clear how many bicycles this outside parking equipment will accommodate. Interior bicycle parking is also shown (behind the elevator) with 12 spaces identified.

A multi unit building is required to provide the following:

Long Term Bike Parking: ¼ units

Short Term Bike Parking: 1/10 units

For the total of 44 units, the requirement will be:

11 long term bike parking spaces (44/4) and

4 short term bike parking spaces (44/10).

It appears that the plan meets the bicycle parking requirement. **Affirmative finding.**

(m) Landscaping and fences

Ample garden space will be provided in the form of raised beds throughout the project site. A detailed landscaping plan has been submitted with preliminary plat plans. See plan L1.0 for existing tree and fencing demo diagram, and plan L2.0 for a proposed planting plan. Existing fencing will be retained and gaps filled in with wood fencing around 27 and 31 Bright Street. A privacy fence and safety barrier will be installed near the garage entrance ramp. That design has not been determined. The graduated grade of the entrance ramp is proposed to be supported with steel sheet piling similar to what is adjacent to the parking garage entrance off College Street near South Champlain Street. The applicant will need to define the grade change.

The City Arborist has also expressed concern about proposed lilacs in the greenbelt along Bright Street, and will confer with the applicant about a suitable alternative. **Affirmative finding as conditioned.**

(n) Public plazas and open space

No public plazas are proposed, however significant outside area is planned for the use of the residents. A significant courtyard is proposed near Bright Street, with ample eastern and southern exposure to the sun with shading provided by new trees and neighboring buildings. The garden beds, patios, and walkways accessed from the Archibald Street sidewalk will provide pleasant grounds for resident enjoyment and passive activity. Several clotheslines and play areas are also identified on the plan (See L2.0.) Much opportunity is afforded for residential pleasure on the grounds of the newly developed site. **Affirmative finding.**

(o) Outdoor lighting

Light specs, a photometric, and lighting plan has been submitted. Lighting is proposed to be full cut-off, and building mounted. The duplex and triplex front porches have recessed can lights to be controlled by occupants. All other lights are proposed to be controlled by photoeye sensors and timers. All lighting is low cutoff LED; there are no pole mounted lights.

Lighting at building entrances exceeds standards of the *Outdoor Lighting Manual for Vermont Municipalities*, Table 2, p. 10: *Building Entry – active use, 5 footcandles average maintained.*

Measurements on the lighting plan illustrate entryway lighting between 10 fc (duplex 2 on Archibald Street) to 13 fc (east entry, 35 plex) to 17 fc (duplex 1, Bright Street.)

Walkway lighting appears to meet the standards. Light levels for within the parking garage are not provided, and need to be to confirm compliance with Sec. 5.5.2 (f) 5.

The lighting plan for entryways will need to be tweaked to meet Sec. 5.5.2 of the CDO.

Affirmative finding as conditioned.

(p) Integrate infrastructure into the design

Utility lines are proposed to be undergrounded from existing municipal services in the street.

The submission narrative states that the smaller buildings each have a storage space for trash and recycling and will utilize curbside service. The 35plex has a separate room to the right of the main entry and the trash removal company will bring the totes curbside for removal.

Mechanical equipment (such as HVAC) details must be provided. **Affirmative finding as conditioned.**

Part 3, Architectural Design Standards

(a) Relate development to its environment:

The smaller buildings proposed to front Archibald and Bright Street are of a scale and character that may successfully be integrated into the existing streetscape. With individual front porches on the duplex and triplex, these buildings relate to the existing neighborhood personality. With the location of the larger building on the interior of the parcel, coupled with underground parking, the building mass is diminished and the site retains an enormous amount of green space for resident use.

1. Massing, Height and Scale:

Triplex, front elevation



(b) Protection of Important Architectural Resources:

The applicant has engaged a Historic Preservation consultant (Liz Pritchett) to assess the area of potential impact, any historic properties involved, and to determine the impact on each. Her report is attached. In short, the Determination of Potential Effect as reported:

In my professional opinion, removal of the dwellings at 114 Archibald Street, 47 Bright Street and the storage building at 35 Bright Street will have no effect on historic resources because these structures do not appear to be eligible for listing in the National Register due to alterations and lack of architectural distinction. Furthermore, due to the poor condition and further loss of integrity at 39 Bright Street since it was listed in the State Register, that resource now appears only marginally eligible for listing in the National Register. Therefore, the only property that has the potential for adverse effect by the undertaking is 39 Bright Street. The overall determination of effect of the undertaking is an adverse effect to historic resources due to the proposed demolition of the dwelling at 39 Bright Street.

Property	Listed in the SR	Eligible for the NR	Potential for Effect
114 Archibald St.	No	No	No Effect
35 Bright St.	No	No	No Effect
39 Bright St.	Yes	Marginally eligible	Adverse Effect
47 Bright St.	Yes	No	No Effect

And the conclusion of the report:

The determination of effect for the Archibald - Bright Street Project is an

ADVERSE EFFECT with one condition.

Condition: The plans and specifications for the new buildings and site shall be reviewed and commented on by the Division for Historic Preservation prior to the final determination of effect for the project.

This is a preliminary determination only as the overall scope of work for the undertaking is in the early stages of design. While the plans and elevations for the new buildings are being developed, the project's historic preservation consultant in consultation with the Vermont Division for Historic Preservation will review the designs to ensure that all work complies with *The Secretary of the Interior's Standards for Rehabilitation*. A final review letter for the undertaking will be submitted when all plans have been completed. No construction will start until final review for Section 106 is complete and all permits are in place.

A final review letter will be required upon final plat submission. **Affirmative finding as conditioned.**

(c) Protection of Important Public Views:

There are no public views from these parcels. Not applicable.

(d) Provide an active and inviting street edge:

Duplex 1 and 2 both provide engaging streetfronts, with triple windows at the first floor street level and wrap around porches slightly off grade. Windows are regularly spaced, and indicative of interior use. The buildings actually have 2 building fronts as designed, because rear facades serve the second unit, and open to public courtyards and interior lot common spaces.

The 35plex, although not immediately fronting the street, has attractively designed facades facing both streetfronts, albeit setback substantially from the street. Visual interest is provided by material placement, alteration to the cornice line, siding changes, rhythm of window placement, window sizes, and articulated porches. The elevator shaft provides an interesting design element distinctive to the plan. **Affirmative finding.**

(e) Quality of materials:

Proposed materials are fiber cement siding and trim; sloped roofs to be shingles; flat roofs membrane. Colors will be chosen from either the James Hardie or Certainteed Color palette. Windows will be fiberglass double hung with some awning and casement. Porch railings are proposed to be painted metal.

As the buildings at 35 and 27 Bright are proposed for demolition, no material specifications have been provided. A final determination from the Vt. Division for Historic Preservation will be required relative to the defined adverse impact of the development, as previously noted.

Affirmative finding as conditioned.

(f) Reduce energy utilization:

The narrative defines the plan for highly energy efficient buildings designs. The development will be required to meet all energy efficiency standards as defined by Burlington Electric, and will be available for incentives.

The 35 plex roof will be designed to incorporate solar panels, although preliminary development plans cannot assure that solar will be incorporated immediately.

The smaller building sizes fronting Archibald and Bright Street do not suggest the need for shadow studies. The interior location (and spatial separation from neighboring building) of the 35 plex do not raise immediate concern about shadow cast. Ample opportunity remains here, and at adjoining building sites, for the utilization of passive and active solar utility. **Affirmative finding.**

(g) Make advertising features complementary to the site:

Any signage will require a separate sign permit.

The street identification number (“37”) is not permitted due to size and height. Sign installation height in the NMU is limited to 14’, or the ceiling height of the first floor. Additionally, parallel signs are limited to 2 sf. per linear foot of building frontage. As the east frontage is broken into different planes, a total will need to be calculated of all parallel building plans fronting Bright Street to determinate appropriate signage size. **Affirmative finding if conditioned.**

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

The proposed buildings will be sprinklered. Development will be required to meet all applicable building and life safety code as defined by the building inspector and the fire marshal.

For this multi unit building, an intercom system is recommended for residential safety.

Affirmative finding.

Section 5.4.8 (d)

Two buildings within the project area are listed on the Vermont State Register of Historic Resources. Both are proposed to be demolished. A consultant’s report has been included with the submission materials. Although she conditions her remarks upon final review and consultation with the Vermont Division for Historic Preservation, in general the report reflects the failed condition of both buildings, and the greater public benefit of the prospect of newer, cleaner, safer, affordable housing in the neighborhood.

Herein are the standards for review:

(d) Demolition of Historic Buildings:

The purpose of this subsection is:

- . *To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- . *Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,*
- . *To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.*

1. Application for Demolition.

For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:

- A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;*

This is enclosed.

- B. A statement addressing compliance with each applicable review standard for demolition;*

- C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:*

(i) the estimated market value of the property on which the structure lies, both before and after demolition or removal; and,

(ii) the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;

Both the structural engineer and the 36-CFR certified preservation consultant concurred that the poor condition of both buildings, coupled with the loss of integrity and level of alteration make rehabilitation economically unviable. Both concur that the best solution would be to remove the structures and allow redevelopment to occur, conditioned upon compatibility with the context of the neighborhood.

- D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;*

This application proposes redevelopment of the site.

and,

- E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.*

Attached.

2. Standards for Review of Demolition.

Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:

- A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure; or,*
- B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district; or,*
- C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

And all of the following:

- D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*
- E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history; and,*
- F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).*
 - (i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;*
 - (ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,*
 - (iii) The time between demolition and commencement of new construction generally shall not exceed six (6) months.*

This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.

The applicants have not offered to deed restrict the property. However as a public housing project, a substantial community benefit would be realized by the redevelopment of the subject parcels, providing 44 residential units (42 in four new buildings, and 31 of them new.)

Affirmative finding as conditioned.

3. Deconstruction: Salvage and Reuse of Historic Building Materials.

The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.

As noted.

Recommended Conditions of Approval

1. The tree species proposed within the greenbelt on Bright Street will require consultation and approval of the City Arborist.

2. Redevelopment shall be conditioned upon Chapter 26 conformance; EPSC and Stormwater Plan approval by the City Stormwater Administrator.
3. A Corrective Action Plan will be required by DEC for PAH impacted soils on the site prior to development.
4. An area of snow storage (or a plan for removal) will be required.
5. The Fire Marshal shall approve of proposed emergency access areas on the site plan.
6. The availability of handicap parking will be requested of the applicant.
7. A plan of the parking level will be provided to allow assessment of circulation, back up distances and parking space sizes.
8. 11 long term and 4 short term bicycle parking spaces shall be provided on-site. Details and location shall be submitted prior to review by the DRB.
9. Mechanical equipment (such as HVAC) details must be provided.
10. A final review letter from a preservation consultant with concurrence from the Vermont Division for Historic Preservation relative to project impacts will be a requirement prior to issuance of a zoning permit.
11. Signage will be required to comply with Article 7 of the CDO.
12. The applicant will define the anticipated height of the steel sheet piling adjacent to the garage entrance, and the proposed barrier rail.
13. The applicant is encouraged, as appropriate, to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use.
14. Standard Permit Conditions 1-15.