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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: November 6, 2019
RE: ZP20-0367CA; 27 Colchester Avenue

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

File Number: ZP20-0367CA

Zone: ICC-UVM **Ward:** IE

Date application accepted: September 27, 2019

Applicant/ Owner: University of Vermont State Agricultural College

Request: 2,860 sf addition to Torrey Hall for improved ADA accessibility, to include stairs and elevator for all three stories and basement. Associated landscaping, walkways and relocation and rearrangement of 22 existing parking spaces. Request for extended permit life of 5 years within two phases. Request for specific days and hours of construction.



Background:

- **Zoning Permit 17-0968CA**, replace asphalt mansard roof with slate. Return to original roof angle and shape. May 2017.
- **Zoning Permit 15-1194CA**, replace/rebuild exterior stairs, replace guardrails, replace sidewalk with concrete. June 2015.
- **Zoning Permit 86-430 / COA 86-023**, construct 40,000 sf. building to house School of Business with classrooms, offices and support functions. To relocate entrance drive from Colchester Avenue and develop new 45 car parking area. May 1986.

Overview: UVM proposes a building addition to Torrey Hall to create a new stair tower and elevator with a building footprint of 600-800 sf on each of four levels. Site work will include sidewalks, main entrance ramp, seat walls, bike racks, and new utilities to the building. Eleven parking spaces will be relocated to the northeast, with 12 others being adjusted in location or orientation. The applicant requests an extended permit timeline (2 phases) that will allow for the interior renovation of the existing building, damaged in a fire August 2017. See attached narrative for further details.

Recommended motion: Certificate of Appropriateness Consent Approval, per the following findings and conditions:

I. Findings

Article 2: Administrative Mechanisms

Section 2.7.8 Withhold Permit

Per this standard, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989 prior to issuance of a Certificate of Occupancy for this permit. Immediate review indicates ZP15-1194CA and ZP17-0968C have not been issued Certificates of Occupancy. See attached list for guidance on open permits/violations. **Affirmative finding as conditioned.**

Article 3: Applications, Permits, and Project Reviews:

Section 3.2.9 Zoning Permits

(f) Exceptions to Permit time Limits

Except for projects subject to additional state or federal permitting jurisdiction, or which have been appealed to Vermont Environmental Court pursuant to the requirements of Article 12, there shall be no exceptions to the time limits specified in Sec. 3.2.9(d) and (e)

unless longer or shorter time limits are specifically imposed as permit conditions of approval by the DRB at the time of approval.

As the application is inclusive of a greater post-fire restoration project that includes funding constraints, insurance requirements and logical progression of rehabilitation, the applicant requests a 5-year permit life in 2 phases:

Phase I: Begin in the second quarter of 2020, consisting of construction of the tower addition and installation of sprinkler coverage to the historic structure.

Phase II: Renovation of the existing building and associated site work.

The comprehensiveness of the renovation and the order of project goals render the request reasonable. The applicant shall define the parameters of the requested phases. **Affirmative finding** as conditioned upon concurrence of the DRB.

Part 3: Impact Fees

Section 3.3.3 Exemptions and Waivers

(a) Exemptions:

4. Additions to existing buildings for which the sole purpose is to provide additional means of egress (e.g. stair towers, elevators, etc.)

As the proposal is to augment and enhance ADA access, the project is exempt from Impact Fees.

Affirmative finding.

Article 4: Maps & Districts

Section 4.4.4, Institutional District

(a) Purpose

See Sec. 4.5.2 (d) *District Specific Regulations: Institutional Core Campus Overlay, UVM Central Campus ICC-UVM.*

(b) Dimensional Standards & Density

See Sec. 4.5.2 (d) *District Specific Regulations: UVM Central Campus ICC-UVM.*

(c) Permitted & Conditional Uses

See Sec. 4.5.2 (d) *District Specific Regulations: UVM Central Campus ICC-UVM.*

Sec. 4.5.2 Institutional Core Campus Overlay Districts

(a) Purpose

The Institutional Core Campus Overlay Districts are intended to provide for reasonable future growth for institutions within the core of their respective campuses without further intrusion into surrounding residential neighborhoods. This overlay allows increased development than would typically be found in the underlying districts. Development is intended to be more intense than the surrounding neighborhoods with higher lot coverage and larger buildings. New development should provide sensitive transitions to the historic development pattern and scale of the surrounding campus. Buildings both large and small should be designed with a high level of architectural detailing to provide visual interest and create enjoyable, human-scale spaces. Sites should be designed to be pedestrian friendly and encourage walking between buildings. Circulation should largely emphasize the needs of pedestrians and bicycles, and parking should

be very limited and generally provided offsite. Where parking is provided, it should be hidden either within or underneath structures.

The proposed construction of a new stair tower/elevator at Torrey Hall is consistent with the purpose of the overlay district. The modifications to parking (in location and arrangement) relocate existing surface parking spaces around the development site to accommodate the access tower and result in net one new parking space; negligible under these standards.

Affirmative finding.

(b) Areas Covered

2. UVM Central Campus (ICC_UVM) allows for an increased development scale and intensity than would typically be found in the adjoining and underlying districts to support continued growth and expansion of the state’s flagship academic institution. In contrast to the ICC-UVMCMC, this core campus would be expected to be dominantly pedestrian oriented, with all but the most essential parking provided off-site. Development within this core campus should reflect the institution’s core educational values in both design and quality.

The stair / elevator tower is highly articulated, reflecting thoughtful, contextual design with manufacture in quality materials. The project will include pedestrian amenities, like improved walkways, bicycle racks and planting beds. The relocation of existing surface parking nearby results in the net increase of one parking space. See Section 4.5.2 (d) 4. below. **Affirmative finding.**

(d) District Specific Regulations: UVM Central Campus ICC-UVM.

1. Transitional Buffer:

- A. *The Transitional Buffer shall include all property within the area as measured from the centerlines of Colchester Avenue, East Avenue, Main Street, and South Prospect Street and extending 150 feet into the ICC-UVM District as delineated on Map 4.5.2-2 UVM/UVMMC ICC Transitional Buffer above.*
- B. *Lot coverage shall not exceed 40% for the aggregate of all land owned by an institution and located within the Transitional Buffer.*
- C. *Unless replaced on site, no housing unit in a residential structure located within the Transitional Buffer shall be demolished or converted to a nonresidential use, except for housing units which are exempt from the provisions of Article 9. Housing Replacement standards of this ordinance shall apply to any such*



activity.

The development area is not within the Transitional Buffer of the ICC-UVM overlay.
Not applicable.

2. Lot coverage

Maximum lot coverage shall be applied to the aggregate of all lots owned by the institution and located within the ICC -UVM District. Lot coverage shall not exceed 65% except as provided below.

The maximum lot coverage within the ICC -UVM District may be increased by one percent for each one percent that the Transitional Buffer coverage is less than 40%, up to a maximum of 70%.

As provided by the applicant for the 149 Beaumont Avenue application, existing lot coverage in ICC Main Street North is 50.5032%. This application would result in lot coverage of 51.16%,
Affirmative finding.

3. Setbacks

Minimum side and rear yard setbacks in the underlying zoning district shall not be applicable within the ICC -UVM District.

Front setbacks shall be fifteen (15') feet measured only along any street defining the Transitional Buffer.

The development area is outside the Transitional Buffer. **Affirmative finding.**

4. Surface Parking

No new outdoor surface parking spaces shall be permitted unless the number of the new outdoor surface parking spaces is offset by a corresponding removal of outdoor surface parking spaces existing as of January 1, 2007, and upon the approval by the DRB. [This was modified by the DRB in June 2019, and allowed delegation for administrative review under a change to DRB By-Laws.]



The area of the proposed access tower addition will spur the relocation of 11 parking spaces to the northeast, and re-arrangement of another 12 to facilitate the development location. There is net new of one surface parking space onsite in the rearrangement. Given the recently approved 149 Beaumont Avenue / Addition to HSRF building that included the removal of 121 surface parking spaces, the addition of a single surface space is negligible under this overlay-specific standard.

The applicant is advised to incorporate these parking alterations and overall parking count within the next Joint Institutional Parking Management Plan. **Affirmative finding as conditioned.**

5. Building Height

Building height shall be measured under the provisions of Art. 5 except that the Measurement Interval method specified in Sec. 5.2.5(a)(3) shall not apply.

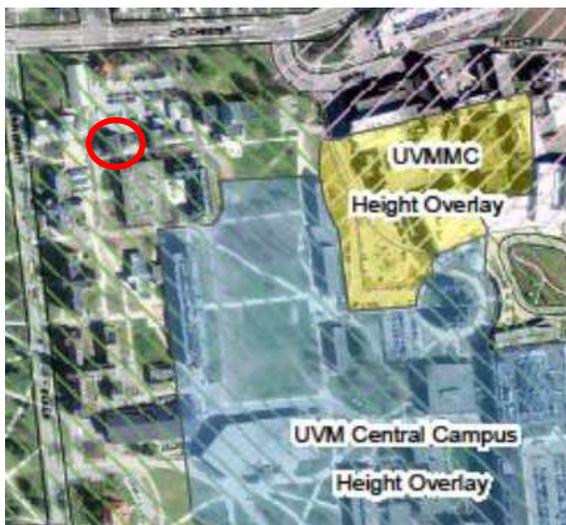
For the sole purpose of regulating building height, the ICC-UVM District shall include an ICC-UVM Central Campus Height Overlay as delineated on Map 4.5.2-4. Building height within the ICC-UVM Central Campus Height Overlay shall not exceed 140-feet.

The proposed tower addition does not exceed the limitation of Map 4.5.2-4. **Affirmative finding.**

Map 4.5.2-4 ICC-UVM Central Campus and Height Overlay

For all other areas within the ICC-UVM District, except for ornamental and symbolic architectural features, additions and new construction may be built to a height that does not exceed the lesser of:

- A. *The actual height of the tallest existing structure as of January 1, 2008 and located within the core campus district; or,*
- B. *The elevation of a plane running parallel to sea level from a point defined by the roof of the tallest structure at the highest elevation within the parcel as depicted as of January 1, 2008.*



The proposed stair/elevator tower is not within the UVM Central Campus Height Overlay (see image.) It does not exceed the height of the tallest existing structure within the core campus, or the elevation of a plane running parallel to sea level from the point defined above. **Affirmative finding.**

6. Density

In the ICC -UVM District, density restrictions set forth in Article 4, Sec. 4.4.4 shall not apply to dormitories and rooming houses as defined in Chapter 18 of the Burlington Code of Ordinances.

The restrictions on the non-residential equivalent set forth in Art. 5, Sec. 5.2.7 (a) 2 shall not apply in the ICC -UVM District. Not applicable.

7. Uses:

Within the ICC-UVM District, Schools - Post-secondary and Schools -Community Colleges shall be treated as permitted uses.

The proposal is an addition to an addition structure/use, conforming to the district. **Affirmative finding.**

Article 5: Citywide General Regulations

Section 5.2.3 Lot Coverage Requirements

See Section 4.5.2, above.

Section 5.2.4 Buildable Area Calculation

This criterion does not apply to properties in the Institutional zone. Not applicable.

Section 5.2.5 Setbacks

See Section 4.5.2, above.

Section 5.2.6 Building Height Limits

See Section 4.5.2, above.

Section 5.2.7 Density and Intensity of Development Calculations

See Section 4.5.2, above.

Section 5.4.8 Historic Buildings and Sites



Originally constructed in 1862 as a 2 story brick square facing University Green, a third floor with Mansard roof was added in 1874. The building was moved to its current site in 1895, being rotated 90° so it now faces south rather than its westerly orientation. An easterly addition was added shortly thereafter, followed by a single story to the west. See [University Green Area Heritage Study](#) for further description. The building, identified as the “Old Art Building” in the original **University Green Historic District** nomination (Section 7, p. 3.) As

such, it is listed on the **National Register of Historic Places** within the **University Green Historic District**, and the following standards apply.

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior’s Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for

Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

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

The University erected the building as a museum and library for the purposeful use. Extraordinarily, it continues as a repository with lab for UVM's Natural History Museum, and Pringle Herbarium. **Affirmative finding.**

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

The original building mass with appendages will remain. The addition of a stair tower/elevator on the north (rear) of the building's orientation will have limited influence on the character of the building. **Affirmative finding.**

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

The addition does not create a conjectural element of any other property, but serves as a stand-alone, readable component to enhance building access. **Affirmative finding.**

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

The building has undergone several periods of alteration, the most recent in 1974. None of the most recent changes have secured merit for retention. The easterly and westerly 19th century additions will remain. The slate roof has been restored. **Affirmative finding.**

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

Reference is made to Plans A-3.0-A-3.4 for details of new work. **Affirmative finding.**

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

The application intends to append an access tower to the existing building, and does not intend replacement of deteriorated historic features. Not applicable.

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

Not applicable.

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

There have been no identified archaeological resources on this site, and given the building relocation, it is probable that the site has experienced significant disturbance. If the project presents new discovery, it shall be immediately reported to the Vermont Division for Historic Preservation for identification, analysis and determination of appropriate management.

Affirmative finding as conditioned.

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

The stair/elevator tower is sensitively designed to be compatible with the existing historic structure. A minor “link” (roofed and sheathed in copper) connects the tower to Torrey Hall. Minor fabric loss is limited to the point of connection. The addition stands both separated (in massing) and attached (at connection) to Torrey, replicating historic materials and arrangement. The plan successfully achieves this standard. **Affirmative finding.**

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

It is entirely possible to sever this addition at some future date without affecting the character and integrity of the historic structure. **Affirmative finding.**

Section 5.5.1 Nuisance Regulations

The applicant has requested hours of construction outside the typical parameter of permitting. Usually considered under Conditional Use regulations, this project does not rise to that level of review, so the request is taken in conjunction with the overall permit application.

Requested hours of construction are:

Monday-Friday 7:00 am – 6:00 pm

Saturday 8:00 am – 4:30 pm.

Sunday construction is limited to interior work.

Nothing additional in this proposal is identified under the city’s nuisance regulations.

Affirmative finding, if altered construction hours are acceptable to DRB.

Section 5.5.2 Outdoor Lighting

No additional exterior lighting is proposed. Not applicable.

Section 5.5.3 Stormwater and Erosion Control

As required, plans for erosion prevention and sediment control and for post construction stormwater management have been provided to the city's stormwater program staff. Final review and approval by the city's stormwater program staff is required. **Affirmative finding as conditioned.**

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

The tower project site is currently a surface parking lot. The relocation of parking is already impervious. There are no identified important natural features. **Affirmative finding.**

(b) Topographical Alterations:

No topographical changes are identified. **Affirmative finding.**

(c) Protection of Important Public Views:

There are no protected views from or through this site. Not applicable.

(d) Protection of Important Cultural Resources:

See Section 5.4.8, above.

(e) Supporting the Use of Renewable Energy Resources:

Nothing within the application impedes the potential use of wind, water, solar, geothermal or other alternative renewable energy resource. **Affirmative finding.**

(f) Brownfield Sites:

Not applicable.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

The west elevation of the tower opens onto a concrete vertical access ramp. The entrance itself will have a canopy to protect entrants from inclement weather.

The applicant has provided EPSC and Stormwater Discharge plan for review by the Stormwater Engineering team. Their written approval will be a condition of any permit.

Affirmative finding as conditioned.

(h) Building Location and Orientation:

The proposed addition is appended to the north elevation of Torrey Hall. Its location and orientation are consistent with the arrangement of existing buildings and access within the larger parcel area. **Affirmative finding.**

(i) Vehicular Access:

Vehicular access will continue as existing, utilizing the interior web of vehicular access paths. **Affirmative finding.**

(j) Pedestrian Access:

Pedestrian access will continue as existing, with the enhancement of improved walkways and landscaped areas. **Affirmative finding.**

(k) Accessibility for the Handicapped:

The focused intent of the application is improved access. Two handicap access parking spaces are identified east of the building. **Affirmative finding.**

(l) Parking and Circulation:

22 existing surface parking spaces, disturbed by the tower addition, are proposed to be relocated or rearranged. 11 will be moved northeast of the project site on an improved paved area. 7 will be identified immediately east of the building, 2 on the west, and the remainder in the existing perpendicular spaces north of the building. Circulation will continue in the same manner. See Section 4.5.2 (a) and (b), above, for a discussion of the addition of new parking. **Affirmative finding.**

(m) Landscaping and Fences:

Reference is made to Plan A-1.0 for landscaping scheme. **Affirmative finding.**

(n) Public Plazas and Open Space:

The newly planted green space will provide enhanced walkways, seat walls and associated bike parking. Refer to Plan A-1.0. **Affirmative finding.**

(o) Outdoor Lighting:

No new lighting is proposed. Not applicable.

(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 placed 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.

A steam vault is identified below grade, with only an access cover noted. Any new utilities must be undergrounded. **Affirmative finding.**

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

As an educational institution, this permit application has limited municipal review per Vermont State Statute §4413. **Limitations on municipal bylaws.**

(a) The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use.

(a) Relate development to its environment:

1. Massing, Height and Scale:

The proposed addition is consistent with the massing, height and scale of the existing Torrey Hall to which it is appended. **Affirmative finding.**

2. Roofs and Rooflines.

A compound bracketed hipped roof is proposed for the addition; a comfortable relationship with the roof styles present of Torrey and its ancillary wings. The connector will feature a soldered copper barrel roof to successfully join the two building masses while staying beneath roof eaves. **Affirmative finding.**

3. Building Openings

No review per §4413. Limitations on municipal bylaws.

(b) Protection of Important Architectural Resources:

See Section 5.4.8.

(c) Protection of Important Public Views:

There are no protected views from or through this site. Not applicable.

(d) Provide an active and inviting street edge:

No review per §4413. Limitations on municipal bylaws.

(e) Quality of materials:

No review per §4413. Limitations on municipal bylaws.

(f) Reduce energy utilization:

No review per §4413. Limitations on municipal bylaws.

(g) Make advertising features complementary to the site:

Any signage will be subject to separate review under UVM's adopted Master Sign Plan.
Affirmative finding as conditioned.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

Any development is required to meet all building and life safety code as defined by the building inspector and fire marshal. **Affirmative finding as conditioned.**

Article 8: Parking

Section 8.1.8 Minimum Off-Street Parking Requirements

The addition of a stair/elevator tower does not spur a requirement to provide any new parking spaces. The site redevelopment will result in the addition of one new surface parking space. See Plan C-1.0. The university remains obligated to update its submission to the Joint Institutional Parking Management Plan; this new development and parking count will need to be incorporated into that plan.

Affirmative finding as conditioned.

Section 8.2.5 Bicycle Parking Requirements

The construction of an access entry/tower does not spur a requirement to provide any new bicycling parking spaces. The plan does, however, provide six inverted U bike racks on the west side of the structure, adjacent to the entrance ramp. **Affirmative finding.**

II. Conditions of Approval:

1. If the project presents archaeological discovery, it shall be immediately reported to the Vermont Division for Historic Preservation for identification, analysis and determination of appropriate management.
2. Final review and approval of the Erosion Prevention and Sediment Control Plan and Stormwater Discharge plan by the city's stormwater program staff are required as a condition of this permit.
3. All permits issued after July 13, 1989 shall be closed out with issuance of Final Certificates of Occupancy prior to request for a FCO for this development. See attached list for guidance on open permits.
4. This approval includes 2 phases with an extended permit life for a total of 5 years. The applicant shall define the length and likely termination of each phase so appropriately scheduled availability of Certificates of occupancy may be observed.
5. Any signage will require a separate permit and be subject to review under UVM's adopted Master Sign Plan.
6. Project identification, parking count and arrangement of spaces shall be appropriately incorporated into the University of Vermont's submission of the Joint Institutional Parking Management Plan as next provided.
7. If approved by the DRB, Hours of construction, as requested by the applicant shall be:
Monday - Friday 7:00 am – 6:00 pm;
Saturday 8:00 am-4:30 pm, and
Sunday: Indoor work only.
8. Standard Permit Conditions 1-15.

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