

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin & Mary O'Neil *MO*
DATE: June 17, 2014
RE: 14-0909PD; 112-114 Archibald Street
14-0910PD 27 Bright Street
14-0911PD 35-39 Bright Street
14-0912PD 47 Bright Street

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.

Zone: NMU/RM Ward: 2

Owner/Representative: Champlain Housing Trust / Michael Wisniewski

Request: Preliminary plat review of major Planned Unit Development for 44 dwelling units and associated site infrastructure and demolition of existing buildings.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary and Replacement Housing), Article 10 (Subdivision), and Article 11 (Planned Unit Development)

Background Information:

The applicant is seeking preliminary plat approval for a major PUD involving several properties on Bright and Archibald Streets. 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 within the interior. The development will provide a net gain of 31 new residential units. All parking is proposed within an enclosed underground parking structure, except for 2 surface parking spaces at the proposed Archibald duplex.

The application involves several properties, and therefore, includes several separate zoning permit applications. All are reviewed concurrently as a single project. Four parcels will be merged into one, but 27 Bright Street will remain a separate parcel.

This proposal underwent sketch plan review with the DRB August 6, 2013. Preliminary plat application was reviewed by the Conservation Board May 4, 2014. The Board applauded the

applicant's efforts to infiltrate 100% of anticipated stormwater with no discharge into the city system. The Design Advisory Board reviewed the preliminary plat application May 13, 2014 and recommended preliminary plat approval with the following conditions:

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.

Supplemental information and revised project plans have been submitted in response to the DAB's recommendations.

Previous zoning actions for the subject properties are as follows:

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.

Recommendation: Preliminary plan approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

This proposal was reviewed by the Technical Review Committee (TRC) on July 11, 2013. No capacity concerns were expressed relative to water, wastewater, electricity, or traffic. A state wastewater permit will be required, and a capacity letter from the Department of Public Works will be needed. The applicant is involved in discussions with the Fire Marshal's Office relative to fire and emergency vehicle service access. Written approval by the Fire Marshal will be required prior to final plat approval. **(Affirmative finding as conditioned)**

2. The character of the area affected;

The development site is situated between Bright and Archibald Streets. There are a variety of commercial and residential uses within the neighborhood. Multi-family homes are common, as are moderately sized commercial businesses. The built environment exhibits an array of older historic buildings and more recent construction of widely varying scale. The proposed development includes one large central building with 35 dwelling units. Three smaller buildings will front along Bright Street and Archibald Street. The project is reasonably consistent with the character of the area. Care has been taken to limit the apparent scale and massing of the large center building by placing it in the center of the site with smaller buildings lining the periphery. The building itself has been broken into smaller distinct components. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

Traffic information has been provided. Not surprisingly, the net gain in housing units may be expected to result in an increase in traffic generation. Based on ITE data, the existing 11 units generate about 73 trip ends per day, 6 in the AM peak hour and 7 in the PM peak hour. The proposed development would generate an estimated 249 trip ends per day, 21 in the AM peak hour and 26 in the PM peak hour. While ITE data is the basis for most traffic analyses, actual trip generation associated with this development will likely be lower than suggested by ITE due to its urban location, existing transportation system, and the demonstrated history of low vehicle ownership rates of Champlain Housing Trust residents. The Department of Public Works traffic engineer provided the following comments, dated June 10, 2014:

I reviewed the plans and the traffic memorandum and I agree with the assessment from Dubois & King of the traffic impact of the development. The increment in traffic will be negligible in the local street network.

(Affirmative finding)

4. Bylaws then in effect;

As conditioned, the preliminary plat application is in full compliance with all applicable bylaws.
(Affirmative finding as conditioned)

5. Utilization of renewable energy resources;

Rooftop solar panels may be included in the project development. Such inclusion is strongly recommended. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

This criterion requires that cumulative impacts associated with residential development where it is permitted be deemed negligible. Such is the case here. **(Affirmative finding)**

7. Functional family;

Not applicable.

8. Vehicular access points;

See Sec. 6.2.2 (i).

9. Signs;

No signage is included in this proposal. Signs will require separate zoning permits.

10. Mitigation measures;

The proposed residential development is not expected to generate offsite noise or glare substantial enough to require mitigation. **(Affirmative finding)**

11. Time limits for construction;

The application anticipates project completion within the standard 2-year time frame for zoning permits. Even so, a phasing schedule is recommended. An approved phasing schedule would allow occupancy of some dwellings prior to total project completion. If project phasing is pursued, it must be outlined in a phasing schedule prior to final plat approval. **(Affirmative finding as conditioned)**

12. Hours of operation and construction;

Hours of operation need not be specified for this residential development. Hours of construction need to be specified in a proposed construction schedule. One has not yet been provided and will be required prior to final plat approval. **(Affirmative finding as conditioned)**

13. Future enlargement or alterations;

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

15. Conditions and safeguards;

See recommended conditions of approval.

(b) Major Impact Review Standards

1. Not result in undue water, air, or noise pollution;

The proposed stormwater management system will collect runoff from impervious surfaces and infiltrate all of it into the ground. The soils are sandy, and the water table is deep. This site is ideal for such a proposal. The proposed infiltration of 100% of stormwater will lessen impacts on the city's stormwater infrastructure. Final details of the proposed stormwater system will be needed prior to final plat approval. As the proposed use is exclusively residential, no significant air or noise pollution is anticipated. **(Affirmative finding as conditioned)**

2. Have sufficient water available for its needs;

See Sec. 3.5.6 (a) 1.

3. Not unreasonably burden the city's present or future water supply or distribution system;

See Sec. 3.5.6 (a) 1.

4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

An erosion prevention and sediment control plan in compliance with Chapter 26, Wastewater, Stormwater, & Pollution Control has been provided. The preliminary plan has been reviewed by the Conservation Board and the Stormwater Administrator. Final review and approval will be required prior to final plat approval. **(Affirmative finding as conditioned)**

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;

See Sec. 3.5.6 (a) 3.

6. Not cause an unreasonable burden on the city's ability to provide educational services;

The proposed development may attract families with school age children, particularly in the 3- and 4-bedroom units. No comments from the School Department have been received, and overall school impacts are expected to be relatively modest. If final plat approval is granted, impact fees would help offset any capital costs for additional children. **(Affirmative finding)**

7. Not place an unreasonable burden on the city's ability to provide municipal services;

The proposed development will generate additional impacts on city services; however, those impacts are expected to be proportionately small. All affected City Departments (Parks & Recreation, Fire, Police, Electric, CEDO, Planning & Zoning, School, and Public Works) have been involved in the review of this project. Insofar as comments have been provided, they are noted in these findings. Impact fees for police, traffic, parks, and libraries will be assessed if final plat approval is granted. **(Affirmative finding)**

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;

See Sec. 6.2.2.

9. Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;

The proposed development will take place within the NMU zone, an area of the city targeted for increased density. This neighborhood in particular is identified as a center for growth and

development in the Municipal Development Plan. The development will provide a mix of new housing types in a neighborhood in need of reinvestment. No adverse impacts on the city's growth patterns are anticipated. **(Affirmative finding)**

10. Be in substantial conformance with the city's municipal development plan;
The proposed development is compliant with the MDP in a number of ways.

The project is located within a neighborhood mixed use zone where higher density development is encouraged and will substantially upgrade housing opportunities from existing conditions (Sec. I, Land Use Policies and Sec. IX, Housing Plan Policies).

The proposed development is located within an identified growth area specifically targeted for additional housing (Sec. I, Neighborhood Activity Centers). It is also contained within the Old North End Enterprise Community and includes the kind of investment and redevelopment specifically called for in this area of the city (Sec. I, The Old North End Enterprise Community).

In light of the project's location and proximity to multiple transportation options, alternative means of transportation will be readily available to residents of the proposed housing (Sec. V, Stressing Other Modes of Travel).

The project will meet or exceed the city's current energy efficiency standards (Sec. VIII).

The proposed development can be found to be in conformance with the City's MDP.
(Affirmative finding)

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;
The proposal will provide a mix of new housing units in a neighborhood with scant recent development. All of the dwelling units will be affordable. **(Affirmative finding)**

12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.
Modest impacts on the city's park and recreation facilities may result. Payment of impact fees will help offset such impacts. Comments from the Department of Parks & Recreation notes that these impact fees will be directed towards improvements to the nearby Roosevelt Park. **(Affirmative finding)**

Article 4: Maps & Districts

Sec. 4.4.2, Neighborhood Mixed Use Districts:

(a) Purpose

(2) Neighborhood Mixed Use (NMU)

The NMU zone is intended to provide a compact variety of commercial uses within the city's older neighborhoods. It also provides for higher residential density than the nearby residential zones. The proposed development is consistent with these goals.

The existing parcel at 47 Bright Street was previously zoned RM; however, per zoning amendment ZA-14-05, it is to become NMU like the rest of the development site. This amendment has been warned for public hearing with the City Council and is now effective. **(Affirmative finding)**

(b) Dimensional Standards & Density

FAR in the NMU is limited to 2.0. The proposed development has a FAR of 1.1 (64,450 sf building area w/in 59,720 sf property).

Only two setbacks apply to the NMU portion of the proposed development: 1) a 10' setback from the street curb and a 15' district setback along the NMU/RM boundary. The site plans depict acceptable street curb setbacks and also depict the 15' district boundary setback along the NMU/RM boundary to the north.

Lot coverage will increase from an existing 21.1% to 58.5%. The maximum permissible is 80%.

Building height will vary among the structures. The center building is tallest at 34'. This height remains below the 35' height limit. All structures comply with the 20', 2-story height minimum. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The proposed multi-family housing is permitted in the NMU zone. The two new duplexes proposed are generally not permitted in the NMU; however, they may be permitted as part of this PUD (which affords flexibility in housing types). The DRB found the inclusion of duplexes to be acceptable during sketch plan review. **(Affirmative finding)**

(d) District Specific Regulations

1. Ground Floor Residential Uses Restricted

Not applicable.

2. Exception to Minimum Height in NAC District

Not applicable.

3. Exception to Maximum Lot Coverage in NAC District

Not applicable.

4. Development Bonuses/Additional Allowances

Not applicable. No bonuses sought.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.2 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.2 (b) above.

Sec. 5.2.6, Building Height Limits

No exceptions to building height limits are requested.

Sec. 5.2.7, Density and Intensity of Development Calculations
See Sec. 4.4.2 (b) above.

Part 4, Special Use Regulations

Sec. 5.4.8, Historic Buildings and Sites

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 has been provided. **(Affirmative finding)**

- 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. **(Affirmative finding)**

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. **(Affirmative finding)**

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. **(Affirmative finding)**

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;

The project is largely interior to the land area, with demolition proposed on streetfront lots of Bright and Archibald. The remaining streetscape will be maintained, with infill housing to fill voids and to continue the neighborhood pattern of residential development. Other, state listed adjacent historic properties will remain. **(Affirmative finding)**

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;

As these are state list (not national) and their level of integrity and physical condition have been documented to be diminished, HABS and HAER standards are not a requirement. Submission photographs, which will be kept in the zoning file, will suffice for documentation for those interested in Burlington's architectural history in this neighborhood. **(Affirmative finding)**

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.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

Light specs, a photometric, and lighting plan have 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 photo-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.) Entryway lighting must be revised accordingly.

Walkway lighting appears to meet the applicable 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. **(Affirmative finding as conditioned)**

Sec. 5.5.3, Stormwater and Erosion Control

A comprehensive stormwater management plan has been provided in preliminary form. As noted previously, the system will capture all stormwater runoff and infiltrate it into the ground onsite. There will be no direct discharge of runoff into the city system. Final review and approval of the proposed stormwater management plan by the Stormwater Administrator will be required prior to final plat approval. **(Affirmative finding as conditioned)**

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 retained as a separate lot, per the submission narrative, yet continue to be operated by CHT as part of the overall project. **(Affirmative finding)**

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 has been revised after consultation and approval of the City Arborist. **(Affirmative finding)**

(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, above.

(e) Supporting the use of alternative energy

The roof of the 35-plex is designed for low profile photo-voltaic (PV) 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 BRELLEA 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; the applicant assures that the CAP will be developed prior to construction. **(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. Revised submission materials include the intent to melt snow

with a system installed under the pavement at the garage ramp. CHT will provide a plan for removal of remaining snow.

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; Supplemental submission material confirms that the fire marshal has approved fire department access and site revisions; written approvals dated April 2, 2014 and April 7, 2014. **(Affirmative finding)**

(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." Revised plans confirm the availability of handicap parking spaces; see Plan A1.0, dated April 24, 2014. **(Affirmative finding)**

(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. Detail of the interior parking garage have been submitted, confirming the adequacy of interior circulation, parking spaces and bike parking availability. **(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 (revised, dated May 28, 2014) 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 (anticipated height 10') similar to what is adjacent to the parking garage entrance off College Street near South Champlain Street.

Revisions have been made to the proposed landscaping within the green belt after consultation with the city arborist: Celebration Maples are now proposed. **(Affirmative finding)**

(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 natural beauty and residential pleasure on the grounds of the newly developed site. **(Affirmative finding)**

(o) Outdoor lighting

See Sec. 5.5.2

(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.

A rooftop ERV (Energy Recovery Ventilation) is proposed behind the elevator tower, which will minimize its visual impact. No cooling towers or condensing units have been identified as part of the plan. **(Affirmative finding)**

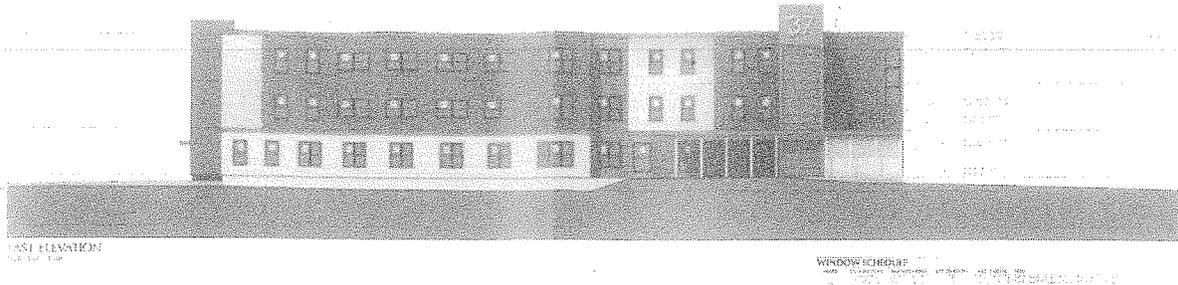
Part 3, Architectural Design Standards

(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:

With the proposed duplex and triplex fronting Archibald and Bright Streets, the building mass remains consistent along both streetscapes. The larger (35 plex) building, situated in the center of the proposed parcel, will be less apparent due to the location; however its height is not without precedent in the neighborhood. Immediately across the street from the Archibald Street frontage exists a newer three story residential structure, fronting the street. This plan, however, minimizes the building mass as perceived from the public ROW. The 35plex has an elongated, winding footprint which will be visually available as glimpsed through other properties and not in its entirety. "Notches" where each of the three wings joins break up the building mass and provide visual interest. **(Affirmative finding)**



2. *Roofs and Rooflines.*

The duplexes are proposed to have compound gabled roofs, while the triplex and the 35-plex to have flat roofs. Both are familiar and presented within the immediate block. **(Affirmative finding)**

3. *Building Openings*

The duplexes and the triplex will have easily identifiable entrances to at least on unit fronting on the public street. Additional entrances are provided off pedestrian paths (or courtyard) on which they front. Both the south elevation (Archibald Street) and the east elevation (Bright Street) of the 35-plex have clearly identifiable entrances off pedestrian walkways.

Window openings maintain consistent patterns and proportions appropriate to the proposed residential use. The window pattern is varied, as broken up between wings of the 35-plex, and provides interest to the architecture. No awnings or canopies have been identified that may encroach into the public right-of-way, which would require an encroachment permit. Canopies on the rear 35-plex are within the project development area.

The buildings are setback from the property line, so no restriction on window or door openings is anticipated to be required to fire safety code restrictions. **(Affirmative finding)**



(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 street fronts, 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 street fronts, 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; especially coupled with the number graphic. Unfortunately, the ordinance limits signage to 2 square feet, so the street number as illustrated is not compliant. **(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 are proposed to 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 are not applicable. 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 their implementation will rely on budget as the development unfolds.

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 as 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)

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the Shared Use Parking District. As a result, each dwelling unit requires 1 parking space for a total of 44 spaces. All but two of these parking spaces will be provided underneath the proposed center building. Two surface parking spaces will be provided behind the Archibald Street duplex. **(Affirmative finding)**

Sec. 8.2.5, Bicycle Parking Requirements

The 42 new dwelling units will require 11 long term spaces (1 per 4 units) and 4 short term spaces (1 per 10 units). The preliminary plat plans confirm compliance (see memorandum response, dated June 2, 2014.) Final plat plans must include details compliant with the Department of Public Works' Bicycle Parking Guidelines. **(Affirmative finding as conditioned)**

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

As the proposed development includes more than 5 new dwelling units, it is subject to the inclusionary housing provisions of this Article. Fifteen percent of the net gain in units must be inclusionary (42 units are proposed, but the net gain in light of demolition is just 31 units). As proposed, all of the units will be affordable. Details as to the degree of affordability and compliance with Article 9 must be provided with final plat plans. **(Affirmative finding as conditioned)**

Article 10: Subdivision

There is no apparent subdivision of land included in this proposal. Four parcels will be merged into one. As a major PUD, a boundary survey done by a VT licensed surveyor must be completed with the final plat application. **(Affirmative finding as conditioned)**

Article 11: Planned Unit Development

Sec. 11.1.6, Approval Requirements

(a) Lot coverage requirements of the district shall be met

Lot coverage is acceptable as noted in Article 4 above. **(Affirmative finding)**

(b) The minimum setbacks required for the district shall be met

As noted previously, setbacks are compliant. **(Affirmative finding)**

(c) The minimum parcel size shall be met if the project is located in a RL or RL-W district

Not applicable.

(d) The project shall be subject to design review and site plan review of Article 3, Part 4

See Article 3 above.

(e) The project shall meet the requirements of Article 10 for subdivision review

See Article 10 above.

(f) All other dimensional, density, and use requirements of the underlying zoning district shall be met as calculated across the entire property

All other dimensional, density, and use requirements appear to be acceptable. **(Affirmative finding)**

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB

The development will operate as a cooperative managed in large part by the residents. Management of open space and common lands will be included in this arrangement. **(Affirmative finding)**

(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.

As proposed, the development would be constructed within 2 years. No phasing schedule has been provided. One is recommended as noted previously. **(Affirmative finding as conditioned)**

(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests
Sec. 11.1.1, Intent

(a) Promote the most appropriate use of land through flexibility of design and development of land;

The proposal amounts to a moderately dense residential development, largely on interior land that would otherwise be unavailable for new construction. The flexibility of design afforded by way of the PUD process allows for substantial reinvestment in a neighborhood that would otherwise not be possible. **(Affirmative finding)**

(b) Facilitate the adequate and economical provision of streets and utilities;

Multiple residences will be served by existing shared streets and new utilities. The compact development will afford economical provision of infrastructure to support the new residences. **(Affirmative finding)**

(c) Preserve the natural and scenic qualities of open space;

Open space will remain. Much of it will contain raised garden beds for residents. **(Affirmative finding)**

(d) Provide for a variety of housing types;

The proposal includes a variety of housing types – duplex, triplex, and multi-family apartment style. Bedroom counts are diverse, ranging from 1- to 4-bedroom dwellings. **(Affirmative finding)**

(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed; and,

As noted above, much of the land to be developed is interior space without direct road frontage. The PUD process enables a comprehensive development package to take place on this site. **(Affirmative finding)**

(f) Achieve a high level of design qualities and amenities.

The Design Advisory Board found the proposed design acceptable and recommended preliminary plat approval. Residents will enjoy amenities of significant open space, garden areas, covered parking, playgrounds, and outdoor gathering areas. **(Affirmative finding)**

(j) *The proposed development shall be consistent with the Municipal Development Plan*
See Sec. 3.5.6 (b) 10.

II. Conditions of Approval

1. This preliminary plat approval in no way grants or implies final plat approval. Final plat application shall be filed in accordance with Section 10.1.9, *Final Plat Approval Process*, of the CDO and per these Conditions of Approval.
2. Prior to final plat application, written acceptance of the adequacy of emergency vehicle access shall be obtained from the Fire Marshal.
3. Prior to final plat application, a boundary survey by a VT licensed land surveyor shall be provided and shall show all proposed boundary adjustments.
4. Final plat plans *should* include a project phasing schedule that calls out what project components will be built and when they will be built.
5. Final plat plans shall include proposed days and hours of construction.
6. Final plat plans shall include the final stormwater system design and shall also include the final details for the erosion prevention and sediment control plan.
7. Final plat plans shall include outdoor lighting details compliant with the standards of Sec. 5.5.2, *Outdoor Lighting*, particularly garage lighting and building entry lighting.
8. Final plat plans shall include bicycle parking details compliant with the Department of Public Works *Bicycle Parking Guidelines*.
9. Final plat plans shall include details as to the amount and extent of affordability of the proposed dwelling units per the requirements of Article 9, *Inclusionary Housing*.
10. Final plat plans shall include a plan for snow removal.
11. Final plat application shall include a final review letter from a preservation consultant with concurrence from the Vermont Division for Historic Preservation relative to project impacts.
12. Unless phased by request to the DRB, the time between demolition of the listed historic buildings and commencement of new construction generally shall not exceed six (6) months.

RECEIVED

JUN 02 2014

DEPARTMENT OF
PLANNING & ZONING



Bright Street Cooperative

Prepared for: The City of Burlington DRB

Prepared by: Duncan Wisniewski Architecture (Taryn Barrett and Michael Wisniewski)

June 2, 2014

memorandum response

The following is a list of responses to the Recommended Conditions of Approval.

1. Trees will be Acer Fremanii 'Celebration' Maples per conversation with City Arborist.
2. Stormwater will be infiltrated in on site basins and we will provide approval from the City Stormwater Administrator.
3. A Corrective Action Plan will be developed prior to construction.
4. We intend to melt the snow with a system installed under the pavement at the garage ramp, CHT will provide a plan for removal of remaining snow.
5. See attached letter for written approval from the Fire Marshal.
6. See attached Parking Level Plan for the 35-Plex showing handicap parking.
7. See attached Parking Level Plan for the 35-Plex showing circulation and spaces drawn to scale.
8. A min. of 11 Long Term bike spaces will be provided in the parking garage area designated 'Bike Parking', and a min. of 4 Short Term spaces are provided in racks off of the courtyard accessed from Bright Street.
9. Roof system will be designed for low profile PV panels which will be included if the budget permits. There will be a roof top ERV behind the elevator tower, approximately 180"w x 50"d x 60"h. At this time we do not anticipate any cooling towers.
10. A final review letter from the Vermont Division of Historic Preservation will be provided prior to issuance of zoning permit.
11. We believe the signage on the Trinity and the two Duplexes comply with the maximum of 2sf. We will revise the 35-Plex to comply.
12. The sheet pilings will be approximately 10' high starting at 227.0 and ending at 237.0 (grade elevations).
13. We will comply with the ordinance to reclaim, sell, and/or salvage building materials from the existing structures scheduled for demolition.
14. We accept the standard Permit Conditions 1-15.

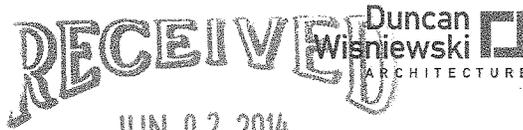
updates post submission

1. See attached elevations for minor windows size adjustments.
2. See attached site plan for revisions including a lawn near the gardens, the play area has been moved North to provide more privacy at the 35-Plex (equipment is undetermined), and the trees have been adjusted to show Celebration Maples at the street edge.
3. We are currently working with a lighting consultant to design the garage lighting plan in accordance with the City Ordinance. We will be revising the lighting at the Trinity and the two Duplexes to comply with the City Ordinance. We would like to discuss providing sufficient light levels at the entry of the 35-Plex for security and due to the setback distance from the public sidewalk.

Sincerely,

Michael Wisniewski

Michael Wisniewski



DATE 04.01.14
FROM Michael Wisniewski & Taryn Barrett, Duncan Wisniewski Architecture
TO Amy Demetrowitz - CHT
Sue Cobb - HVT
Jeff Hodgson, Bonnie Kirn Donahue - WH
Bill Nedde - KL
Joe Keenan, Barry Simays - BFD
RE **BRIGHT STREET - Fire Department Access/Requirements Review**

GENERAL

- We reviewed the latest drawing presented by DWA, showing all revisions to date including many changes since the last BFD input during technical review.
- BFD would like to access the 35-Plex aerially with either Engine 2 or 4 along the ramp at the Archibald entrance. In the original design the duplex was built over this ramp precluding fire truck access. This ramp starts out at 5.4%, decreases to 5% at the 2 parking spaces, then continues down to the parking garage at a maximum 10.2% slope. These 'straight stick' aerials can reach up to 60' with their ladders, which would park them partially on the 10.2% slope and partially along the 5% slope. The maximum allowed for these engines is 12%. The width of the ramp is adequate at 23 feet, with 20 feet designated towards the drive aisle and 3 feet for pedestrians or bikers. However, when an engine is parked here it will limit vehicle access from the garage to the street. This is not atypical for emergency vehicles to block civilian traffic.
- The ramp will be designed to carry the tower weight even though it is unlikely to be utilized.
- BFD requests a Fire Department Connection (FDC) closer to the street than the entry point of the 35-Plex, either on the Trinity or Duplex 1. The purpose is to reduce the length of 4" lines from the engine parked on Bright Street to the sprinkler system in the building which requires personal that may be needed to perform other tasks. It was determined that the best location may be along the courtyard on Duplex 1, where it can rise up through the slab under a stair and elbow out the wall. This remote FDC must be labeled according to the NFPA lettering requirements indicating that it does not serve the building for which it is located on, and that it does serve the 35-Plex. An outdoor horn/strobe shall be located over the FDC that will be activated with the 35-Plex system. The FDC must be within 100 feet of the closest hydrant, which Bill is locating along Bright Street proximate to the NE corner of the Trinity.
- Riverside Ave has a 10 inch water line that meets an old 6 inch water line on Bright Street, servicing an existing hydrant at the northern end of the street. The water flow calculations done last fall by DPW and coordinated by KL were rpresented and are very strong for this existing hydrant. All parties agree to minimize the use of the existing 6 inch line and to tap into the water as close as possible to the existing hydrant, run a new 6 inch line south to a

new hydrant. Bill will contact Rob Green and Adam at the water department about the construction and location of this hydrant.

- Due to the reduced access to the 35-Plex and the length of the building the BFD will require a standpipe in each of the two stairwells for water supply in an emergency.
- The southern pedestrian entry is required to have a horn/strobe, annunciator panel, and a Knox box.
- The Trinity does not require a sprinkler system by code, Michael will verify this with Ned Holt.
- Based on all of the above the original requirement of an open courtyard at the main entry off Bright St. being designed for fire truck access is no longer required given that they will access the building off Archibald. We will still provide a 9' curb cut and a 12' wide paved access for small emergency and service vehicles.

From: **Barry Simays** BSimays@burlingtonvt.gov

Subject: RE: Bright Meeting 04_Fire Department

Date: April 7, 2014 at 12:17 PM

To: Michael Wisniewski michaelw@duncanwisniewski.com, Demetrowitz Amy amy.demetrowitz@champlainhousingtrust.org,
Cobb Sue Sue@hvt.org, Nedde Bill Bill.Nedde@krebsandlansing.com, Joseph Keenan JKeenan@burlingtonvt.gov,
Jeff Hodgson jhodgson@wagnerhodgson.com, Bonnie Kirn Donahue bkirn@wagnerhodgson.com, Taryn Barrett
tarynb@duncanwisniewski.com

Michael,

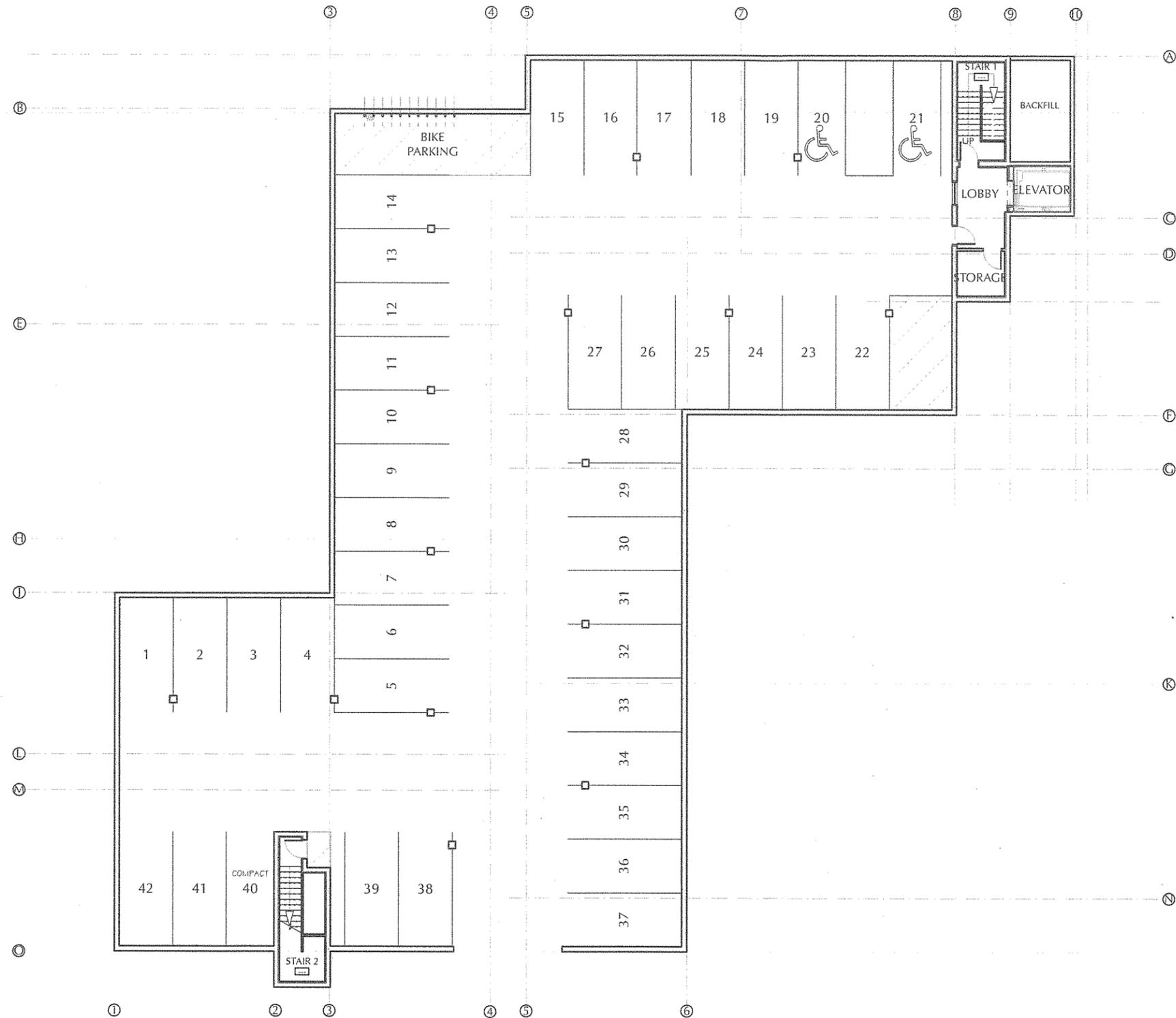
Thank you for providing this summary. The content accurately represents our discussion at this office on 4/1/2014. As stated during the meeting, this office will require a standpipe system in the 35-plex based on significant firefighter access concerns presented by building position, and the excessive hose-lays that would otherwise be required to fight a fire in a remote unit on the top floor.

Thank you again,

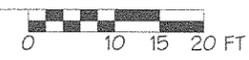
BC Barry Simays, CFI
Fire Marshal
Burlington Fire Department
132 North Avenue
Burlington, VT 05401
(802) 864-5577
(802) 658-7665 (Fax)
bsimays@burlingtonvt.gov

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PARKING LEVEL PLAN
 Scale: 1" = 20 ft



BRIGHT STREET COOPERATIVE

BURLINGTON, VERMONT

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 DUNCAN WISNIEWSKI ARCHITECTURE
 A Professional Corporation

PRELIMINARY PLAT

35-PLEX

Duncan Wisniewski
 ARCHITECTURE

255 SOUTH CHAMPLAIN STREET
 BURLINGTON, VERMONT 05401
 T. 802.864.6693

DATE: 04.24.14

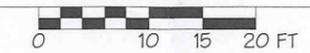
A1.0



A EAST ELEVATION
Scale: 1/16" = 1'-0"



2 SOUTH ELEVATION
Scale: 1/16" = 1'-0"



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PRELIMINARY PLAT

35-PLEX

Duncan
Wisniewski ARCHITECTURE

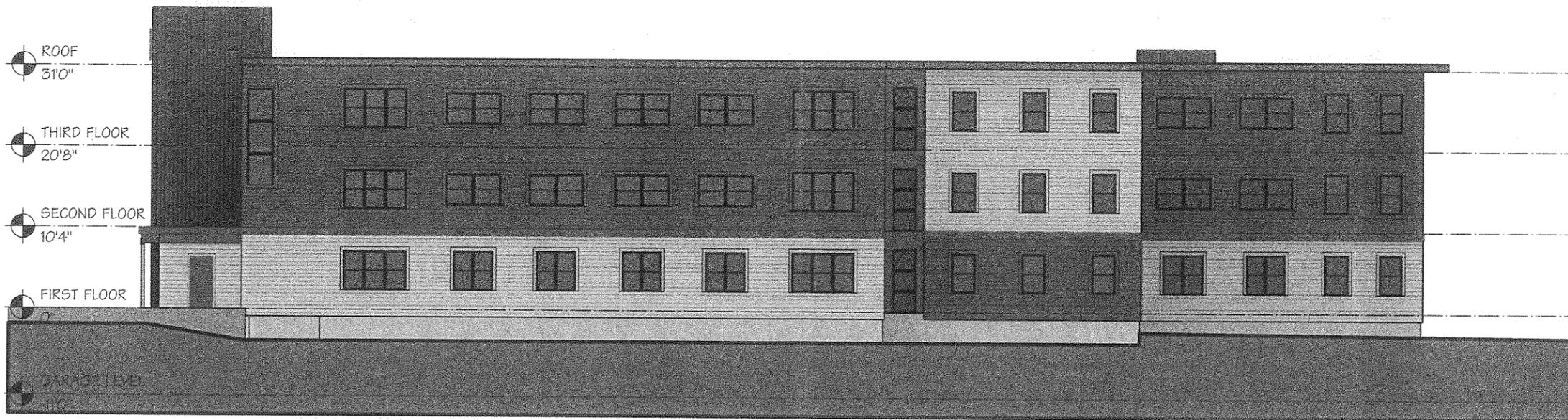
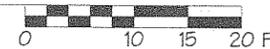
255 SOUTH CHAMPLAIN STREET
BURLINGTON, VERMONT 05401
T. 802.664.6693

DATE: 06.02.14

A2.0



3 WEST ELEVATION
Scale: 1/16" = 1'-0"



4 NORTH ELEVATION
Scale: 1/16" = 1'-0"



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PRELIMINARY PLAT

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35-PLEX

DATE: 06.02.14

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