

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin *AD*
DATE: December 17, 2013
RE: 14-0591CA/CU; 250 North Winooski Ave

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 Ward: 2

Owner/Representative: Howard Dolan

Request: Construct front addition to existing automotive service and repair business.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

Background Information:

The applicant is seeking approval to construct a 14' X 28' 6" addition to the front of an existing building used for automotive service and repair. The existing building will also receive new siding and roofing to match that of the addition. No site changes are proposed beyond the expanded building footprint.

A similar proposal was denied in 2009 because the automotive repair and service use was nonconforming in the NMU zone, wherein the property is located. Zoning amendment ZA-14-03, effective December 4, 2013, changed the automotive repair and service use to a conditional use in the NMU zone as reflected in this application and the findings herein.

Previous zoning actions for this property are listed below.

- 6/8/09, Approval to replace asphalt roof with metal roof
- 3/27/09, Denial of request to expand automotive repair and service use
- 12/17/87, Approval to replace freestanding sign with new freestanding sign
- 9/10/81, Approval to convert single family home to a duplex
- 8/25/81, Approval of parking waiver for 4 spaces for duplex and 6 spaces for business
- 9/9/80, Approval to rescind previous approval and to instead construct addition to garage for use as automobile repair shop
- 6/24/80, Approval to demolish sheds and garage and to construct new garage for use as automobile repair shop.

Recommendation: Consent Approval as per, and subject to, the findings and conditions below:

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;*

The proposed expansion will have no significant impacts on existing or planned community facilities. Impact fees based on the net new square footage will be due upon project completion to offset what impacts there are. **(Affirmative finding as conditioned)**

2. *The character of the area affected;*

The subject property is located in a mixed use neighborhood along North Winooski Avenue. The area is defined by small scale commercial uses and multi-family housing. Considerable reinvestment in this neighborhood has been made recently and continues with newly proposed redevelopment. The proposed addition is small in scale. The automotive repair and service business itself will not change and thus remain compatible with the character of this neighborhood. **(Affirmative finding)**

3. *Traffic on roads and highways in the vicinity;*

No traffic information has been provided; however, no significant impacts are anticipated. **(Affirmative finding)**

4. *Bylaws then in effect;*

As conditioned, the application is in compliance with all applicable bylaws. **(Affirmative finding)**

5. *Utilization of renewable energy resources;*

No alternative energy utilization is included in this proposal. The addition, however, will not adversely impact future such utilization on the subject or neighboring properties. **(Affirmative finding)**

6. *Cumulative impacts of the proposed use;*

The proposed expansion is small in scale. No significant cumulative impacts are anticipated. **(Affirmative finding)**

7. *Functional family;*

This criterion does not apply to the subject permit request.

8. *Vehicular access points;*

Vehicular access to the property is adequate, and no changes are proposed. **(Affirmative finding)**

9. *Signs;*

The existing parallel sign over the front garage door will be relocated over the new garage door in the addition. No other changes are proposed. **(Affirmative finding)**

10. *Mitigation measures;*

The proposed development is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

11. Time limits for construction;

No construction schedule has been proposed. One is not required for a project of this small scope. The zoning permit is valid for two years; one to start and another to finish. **(Affirmative finding)**

12. Hours of operation and construction;

No changes to the hours of operation of the automotive business are proposed. Hours of construction have not been noted. The proximity of nearby residences warrants limiting construction hours to Monday – Saturday, 7:00 AM – 6:00 PM. No construction activity shall be allowed on Sunday. **(Affirmative finding as conditioned)**

13. Future enlargement or alterations;

As with any project, future enlargement or alteration to the development will require zoning review under the regulations in effect at that time.

14. Performance standards;

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

15. Conditions and safeguards;

This project is conditioned to implement the purposes of the zoning regulations.

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. The automotive service and repair facility is small in scale and has been in place since 1980. This moderately sized expansion is consistent with the NMU zone. **(Affirmative finding)**

(b) Dimensional Standards & Density

FAR in the NMU is limited to 2.0. No FAR information has been provided; however, it remains obviously below the 2.0 limit.

No setbacks apply to the proposed addition.

Lot coverage will remain unchanged, as the addition will be constructed over existing impervious surface.

Building height will remain unchanged at about 15' to the midpoint of the gable roof. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The automotive service and repair business is a conditional use in the NMU zone. Expansion thereof requires conditional use review. The use is limited to no more than 10,000 sf. As expanded, the automotive service and repair business will total 1,319 sf. **(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.

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.

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

No new outdoor lighting is proposed. A nonconforming flood light over the existing overhead door will be relocated over the new overhead door. As part of this project, this nonconforming light fixture should be replaced with a conforming cut-off light fixture. **(Affirmative finding as conditioned)**

Sec. 5.5.3, Stormwater and Erosion Control

Impervious area will remain unchanged. The conversion of some asphalt with rooftop will be of some benefit. The project is not large enough to require a post-construction stormwater management plan. The project is not large enough (< 400 sf) to require an erosion control plan. **(Affirmative finding)**

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

No trees or other significant vegetation will be removed as part of this proposal. There are no significant natural areas on the property. **(Affirmative finding)**

(b) Topographical alterations

Minimal earthwork is included in this proposal. The existing grade is generally flat and will remain so. **(Affirmative finding)**

(c) Protection of important public views

There are no protected public view corridors from or through the subject property. **(Affirmative finding)**

(d) Protection of important cultural resources

The home at the front of this property is historically significant and dates to 1889. The building is included on the Vermont Historic Sites and Structures Survey. The garage that contains the automotive service and repair business, however, is not historically significant. The proposed addition is placed well behind the historic home and will have no adverse impact on this historic resource. **(Affirmative finding)**

(e) Supporting the use of alternative energy

The proposed addition does not include provision for alternative energy. It will not preclude future utilization. **(Affirmative finding)**

(f) Brownfield sites

The subject property is not an identified brownfield. **(Affirmative finding)**

(g) Provide for nature's events

Stormwater management is addressed under Sec. 5.5.3.

The proposed addition will contain sheltered waiting room space for customers that was previously unavailable. **(Affirmative finding)**

(h) Building location and orientation

The garage location and orientation will remain unchanged. It remains oriented towards the street and set well behind the home at the front of the property. **(Affirmative finding)**

(i) Vehicular access

See Sec. 3.5.6 (a) 8.

(j) Pedestrian access

Pedestrian access to the site remains unchanged and adequate. **(Affirmative finding)**

(k) Accessibility for the handicapped

No details related to handicap accessibility are evident on the project plans. It is the applicant's responsibility to comply with all applicable ADA requirements as may be required through the city's building codes. **(Affirmative finding as conditioned)**

(l) Parking and circulation

No changes to parking and circulation are proposed. **(Affirmative finding)**

(m) Landscaping and fences

No new landscaping is included in this proposal. There is a small amount of green space in front of the home and also along the side and rear of the garage. In light of the project's minimal scope and location to the rear of the property, no additional landscaping is necessary. **(Affirmative finding)**

(n) Public plazas and open space

No public plaza or open space is included in this proposal.

(o) Outdoor lighting

See Sec. 5.5.2 above.

(p) Integrate infrastructure into the design

No new site infrastructure is included in this proposal. The existing conditions photos depict a number of containers, pallets, tire, and other miscellaneous items that should be removed or relocated to inside storage. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed addition is small and continues the form of the existing building. Overall massing, height, and scale remain consistent. **(Affirmative finding)**

2. Roofs and Rooflines

The proposed addition will share a gable roof of the same slope as the existing garage. **(Affirmative finding)**

3. Building Openings

New window openings are limited and basic in appearance. Two new windows, a pedestrian door, and an overhead door are proposed. Their placement and appearance are consistent with the utilitarian nature of the garage. **(Affirmative finding)**

(b) Protection of important architectural resources

As noted above, the garage structure is historically insignificant. The proposed addition thereto will not adversely impact the historic residence at the front of the property. **(Affirmative finding)**

(c) Protection of important public views

There are no important public views from or through the subject property. **(Affirmative finding)**

(d) Provide an active and inviting street edge

The street edge of this property is defined by the historic home along North Winooski Ave. This home will remain unchanged. **(Affirmative finding)**

(e) Quality of materials

The garage is currently clad in T-111 siding and standing seam metal roofing. The addition will be clad in vinyl siding. The new siding will be applied on the entire structure to replace the T-111 as well. Standing seam roofing will be installed on the addition to match the existing roofing. These materials are acceptable for this application. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed construction must comply with the city's current energy efficiency standards as applicable. **(Affirmative finding)**

(g) Make advertising features complimentary to the site

No new advertising features are included in this proposal. The existing parallel sign will simply be relocated. **(Affirmative finding)**

(h) Integrate infrastructure into the building design

No new exterior building infrastructure is included in this proposal. **(Affirmative finding)**

(i) Make spaces safe and secure

The proposed addition must comply with the city's current egress requirements. **(Affirmative finding as conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

This property is located within the Shared Use Parking District. The parking requirement is 2 spaces per 1,000 sf, plus 1 space per bay. The use as expanded will require 3 parking spaces for the 1,319 sf area and 1 more space for the 1 garage bay for a total of 4 parking spaces. The residence on the property is a duplex and requires 4 parking spaces (2 per unit). Parking is not delineated on the site plan; however, there is sufficient length and width between the expanded garage and the duplex to contain 8 conforming parking spaces. **(Affirmative finding)**

Sec. 8.2.5, Bicycle Parking Requirements

The proposed addition would require less than 4 bicycle parking spaces (1 per 30,000 sf for long term, and 1 per 10,000 sf for short term) and is, therefore, exempt from bicycle parking requirements per Sec. 8.2.3, *Existing Structures*. **(Affirmative finding)**

II. Conditions of Approval

1. The applicant shall replace the nonconforming light fixture over the garage door with a conforming fixture. Replacement with a conforming fixture shall be subject to staff review and approval and may be included in this permit approval.
2. Outside storage of materials, debris, and other miscellaneous items (not including registered vehicles) is not included in this permit. All such items shall be removed or stored inside.

3. At least **7 days prior to the issuance of a certificate of occupancy**, the applicant shall pay to the Planning & Zoning Department the impact fee as calculated by staff based on the net new square footage of the proposed development.
4. Days and hours of construction shall be limited to Monday – Saturday, 7:00 AM – 6:00 PM. No construction activity shall be allowed on Sunday.
5. The proposed structure shall comply with Burlington’s current energy efficiency standards and with Burlington’s current ingress and egress requirements as established by Burlington Electric Department and Burlington Public Works, respectively.
6. It is the applicant’s responsibility to comply with all applicable ADA requirements.
7. Standard permit conditions 1 -15.



1 View from the Northwest showing existing mint-green corrugated/batten metal roofing.



2 View showing proposed open area for new Office/Auto Repair Shop Expansion.



3 View from the Southwest showing existing 5'-0" sideyard setback along fence line.



4 West Elevation of existing Shop sheathed in T1-11 plywood siding with CMU frostwall.

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Dolan's Auto Inc.
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EXHIBIT A
 EXISTING CONDITIONS

Dolan's Auto Inc.

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BUILDING LOT DATA:

LOT ADDRESS:
250 NORTH WINOOSKI AVENUE

LOT AREA [NET]:
 LOT WIDTH: 33.30'
 LOT DEPTH: 207.00'
 LOT AREA: 33.30' x 207.00' = **6,893 SF**
 6,893 SF / 43,560 SF/Acre = **0.158 ACRES**

BUILDING FOOTPRINTS (at grade):
 1,092 SF (250 N Winooski Avenue Residence)
1,319 SF (Auto Shop including new addition)
 2,411 SF TOTAL

LOT COVERAGE: Max. 80% per Table 5-C
 2,411 SF / 6,893 SF = **35% Net Lot Coverage**

PARKING:

Minimum Off-Street Parking Required:
6/Service Bay (per Table 10-A)
Net Proposed Parking Provided:
 On-site: 8 Standard spaces
 0 Handicapped spaces required
 Curb-side: 2 street parking frontage

TOTAL: 10 PARKING SPACES PROVIDED

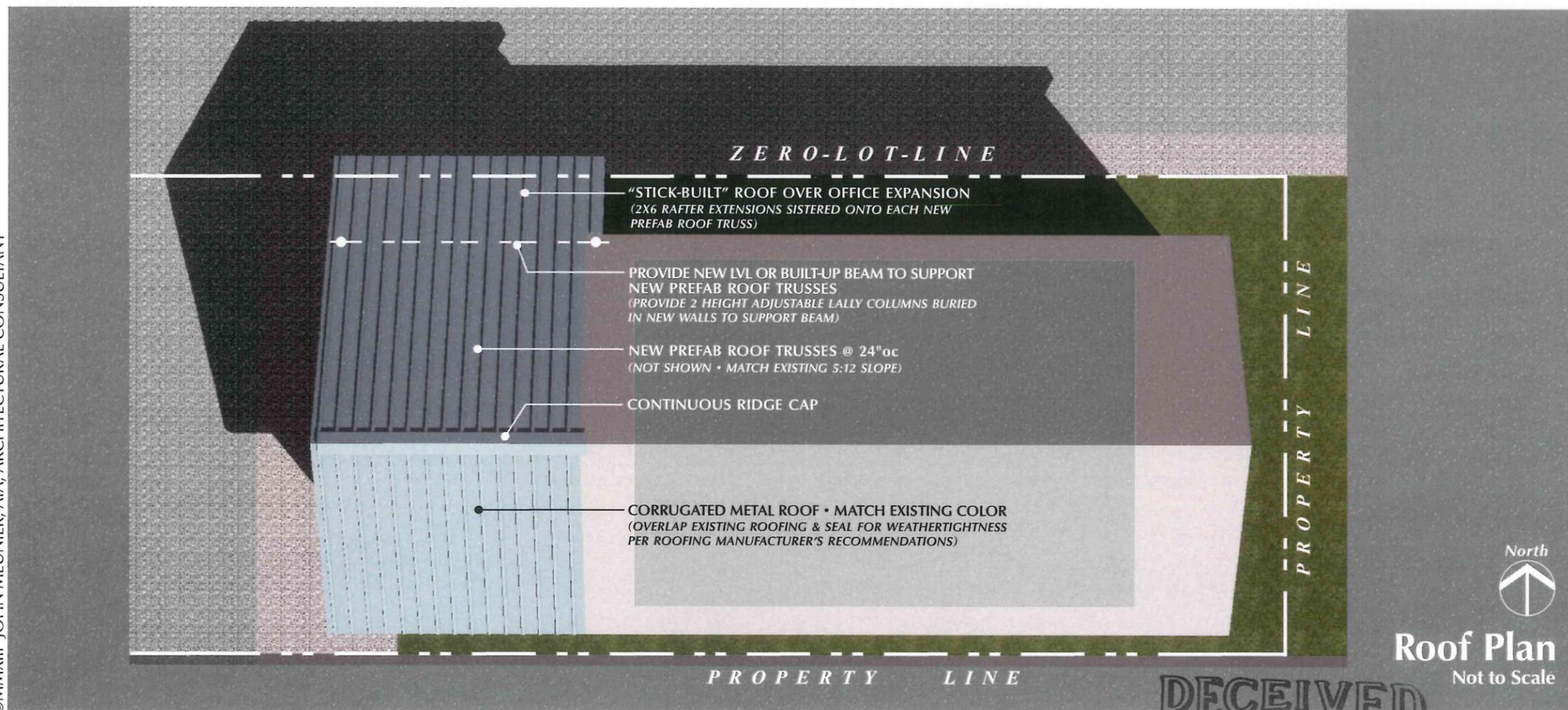
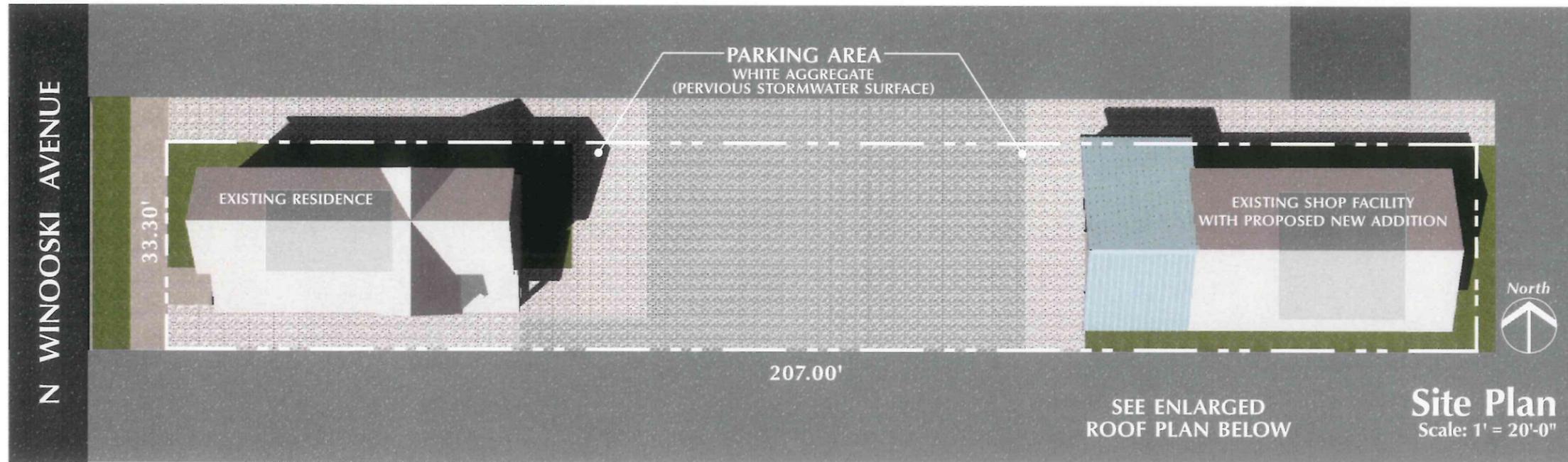
ZONING CODE REVIEW:

ZONING DESIGNATION:
GC, General Commercial

ZONING PERMIT REQUIRED:
 a.) Level 1 Permit < \$24,000 Renovations
 b.) COA, Certificate of Appropriateness
 by the Development Review Board

NON-RESIDENTIAL PERMITTED USES:
 GC / Auto Body Shop allowed per Table 5-4.
 (Pre-existing use)

SETBACK/HEIGHT REQUIREMENTS:
 Zoned Use: GC, General Commercial
 Front yard: None.
 Side yard: None. Setback not required
 per Table 5-C; zero-lot-line
 Rear Setback: 25% Lot Depth, (pre-existing)
 Max. Height: 35'-0" (Addition's Ht. = 16'-9"±)



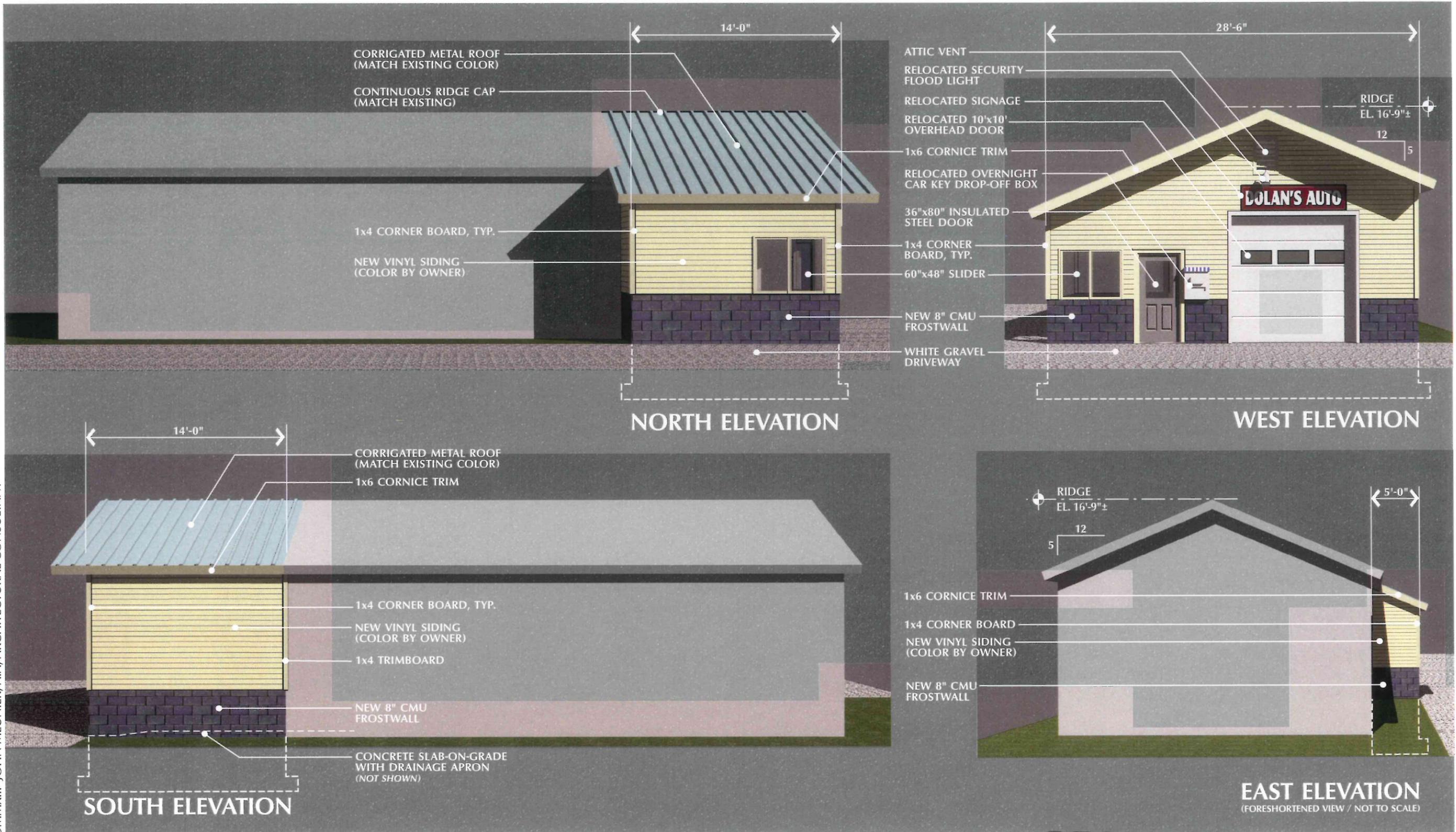
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EXHIBIT B

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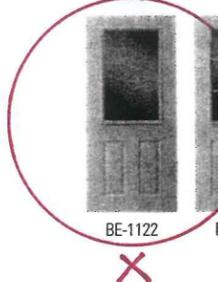
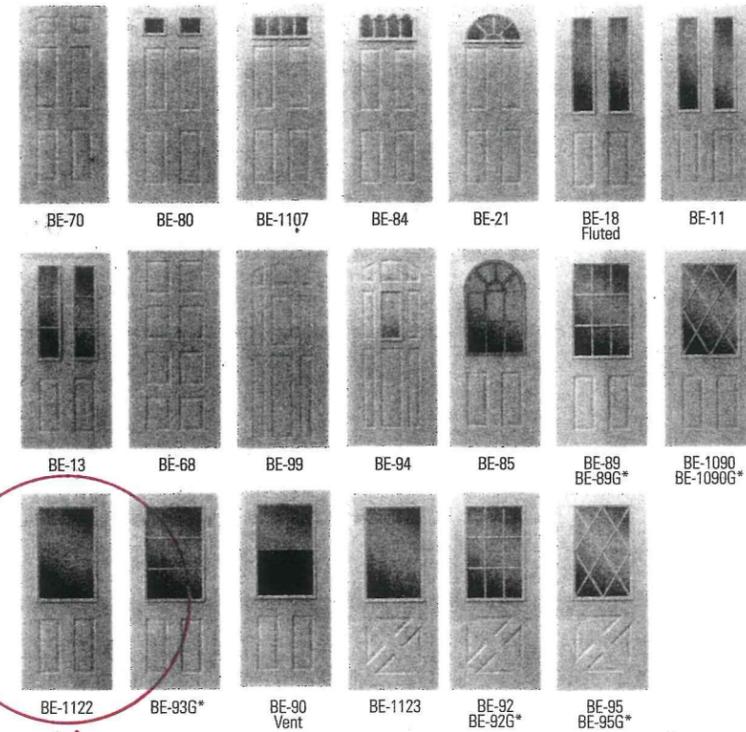
EXHIBIT C
BUILDING ELEVATIONS

City Lites Collection...

Simplicity...Classic simplicity best describes this versatile design, appropriate for any style home. Choose clear glass for a striking contemporary look or glass with a grille for a traditional look. Insulated 1/2" glass makes this door energy-efficient, too.

Doorlights

Embossed Panel Series



Available Set-Up or K.D.

FEATURES:

- 90 minute UL "B" Label Fire Rated
- Adjustable for 3 3/4" to 5 7/16" wall throat opening
- ASTM Grade 40 Security Rating
- 18 Gauge Galvanized Steel (14 gauge reinforcements)
- Prime coated, ready for finish painting
- 1 1/2 pair 4" x 4" Zinc Dichromate hinges (loose pin, non-spring type)
- "T" strike and deadbolt strike
- Self-adjusting aluminum sill
- Fire rated compression weatherstrip
- Available 2'-8" x 6'-8", 3'-0" x 6'-8" and 3'-0" x 7'-0"

Available Set-up or K.D. with Brocco Steel Doors or Wood Fire Doors.

See Page 255 for Fire Rated Steel Doors.

Steel Frame 2 Piece Sill Detail



VINYL THRESHOLD/ALUMINUM SILL

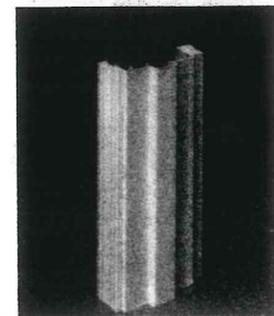
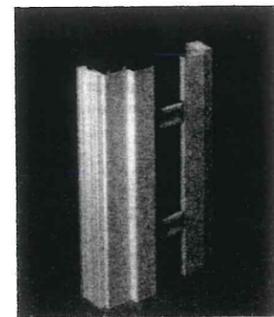
Note: A door closing device is required for a complete fire rated opening.

Options:

- Pair Spring hinges (U.L. rated)
- 1 1/2 pair outswing hinges
- U.L. rated keylock
- Interior casing

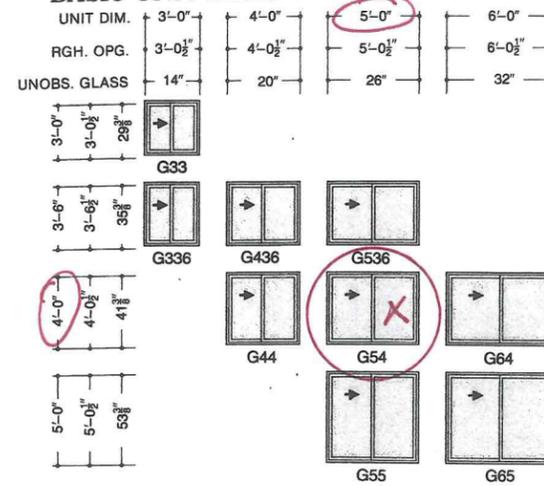
	2'-8" x 6'-8"	3'-0" x 6'-8"	3'-0" x 7'-0"
Rough Stud Width	2'-9 5/16"	3'-1 5/16"	3'-1 5/16"
Rough Stud Height	6'-9 1/2"	6'-9 1/2"	7'-1 1/2"

NOTES: * Door hung on pre-hanging package frame - Installation package and options shipped K.D.
 † Fire Retardant Door Bottom included with Set-up; must be ordered separately if K.D. to complete fire rated unit.
 ‡ Wood fire doors - See Interior Door Section.



GLIDING WINDOWS

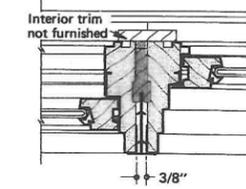
BASIC UNIT SIZES



MULTIPLE OPENINGS

NARROW MULLION
 Scale 1 1/2" = 1'0"

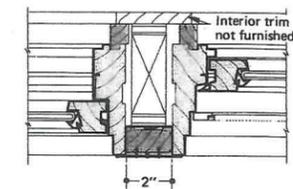
Joining units without vertical support between units. Adequate headers must be provided. Joining parts furnished when specified.



Overall Unit Dimension Width - Sum of individual unit dimensions plus 3/8" for each unit joining.

SUPPORT MULLION
 Scale 1 1/2" = 1'0"

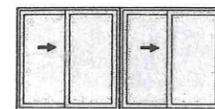
Joining units with a 2 x 4 vertical support between units. Exterior filler and vinyl trim furnished when specified.



Overall Unit Dimension Width - Sum of individual unit dimensions plus 2" for each unit joining.

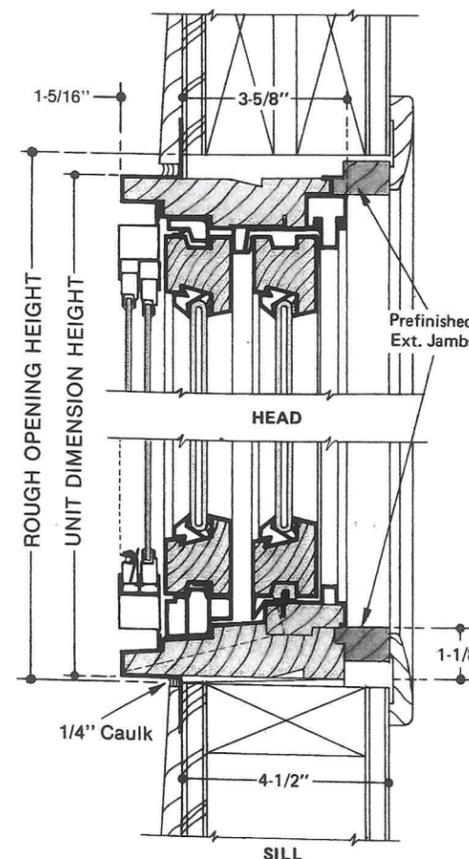
Overall Rough Opening Width - Add 1/2" to Overall Unit Dimension Width when using either narrow or support mullion.

TYPICAL COMBINATIONS
NARROW MULLION



NOTE: Arrows indicate operation of left-hand sash with right-hand stationary. All venting indicated as viewed from the exterior.

VERTICAL DETAIL
 Scale 3" = 1'0"



PERMA-SHIELD® GLIDING WINDOWS
OPENING SPECIFICATIONS

Unit No.	Sq. Ft. Clear Opp.	Max. Clear Opp. in Full Open Position		Sq. Ft. Glass	Crack Opp. Lin. Ft. Vent Sash Only	Sq. Ft. Vent.	Floor To Sill Opp. Height
		Width	Height				
G33	2.98	13 1/4"	32 3/8"	5.7	8'4"	2.98	48 3/16"
G336	3.53	13 1/4"	38 3/8"	6.9	9'4"	3.53	42 3/16"
G436	5.13	19 1/4"	38 3/8"	9.8	10'4"	5.13	42 3/16"
G44	5.93	19 1/4"	44 3/8"	11.5	11'4"	5.93	36 3/16"
G536	6.73	25 1/4"	38 3/8"	12.8	11'4"	6.73	42 3/16"
G54	7.78	25 1/4"	44 3/8"	14.9	12'4"	7.78	36 3/16"
G55	9.98	25 1/4"	56 3/8"	19.2	14'4"	9.89	24 3/16"
G64	9.63	31 1/4"	44 3/8"	18.4	13'4"	9.63	36 3/16"
G65	12.23	31 1/4"	56 3/8"	23.7	15'4"	12.23	24 3/16"

HORIZONTAL DETAIL
 Scale 3" = 1'0"

