

Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *[Signature]*
DATE: May 17, 2011
RE: 11-0734CA/CU; 668 Pine 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: ELM Ward: 5

Owner/Applicant: Play Dog Play / Stern Properties, LLC

Request: New addition at side and install rooftop solar panel system and modified stormwater collection system

Applicable Regulations:

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

Background Information:

The applicant is seeking approval for a 1,600 sf addition to the existing kennel and for solar panel installation and stormwater system modifications. As the kennel is a conditional use, expansion thereof requires conditional use review and approval.

Previous zoning actions for this property are noted below.

- 7/22/08, Approval for establishment of animal kennel
- 11/14/04, Approval for replacement freestanding sign
- 9/15/03, Approval for replacement parallel sign
- 7/19/02, Approval of change in use to retail/manufacturing and associated building changes
- 1/18/00, Denial of variance of height and setback requirements for freestanding sign
- 5/28/99, Approval of freestanding sign
- 2/20/98, Approval of parallel sign
- 2/20/98, Approval change in use from plumbing sales and storage to floral retail

Recommendation: Consent approval as per, and subject to, the following findings and conditions.

Article 3: Applications and Reviews

Part 5, Conditional Use Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The proposed 1,600 sf expansion of the kennel will have minor impacts on existing or planned community facilities. Impact fees will be paid to offset these impacts. The applicant is advised to inquire with the Vermont DEC, Water Quality Division to find out if a new state wastewater permit will be required. **(Affirmative finding as conditioned)**

2. The character of the area affected;

The subject neighborhood contains a variety of commercial and public uses including private businesses, Public Works, and parkland. To the east, residential properties predominate. Noise impacts associated with the kennel were assessed when the original kennel application was reviewed by the DRB. Mitigation measures were required and implemented. The small building expansion will have no impact on noise generation. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

No traffic information has been provided for this application. The proposed expansion is small and is not expected to have any appreciable impact on traffic associated with the kennel. **(Affirmative finding)**

4. Bylaws then in effect;

As conditioned, the proposal can be found in compliance with all applicable zoning bylaws. **(Affirmative finding)**

5. Utilization of renewable energy resources;

This project includes the installation of a rooftop solar array. The building's lengthwise orientation to the south makes for an ideal location for solar panels. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

No additional mitigation measures beyond those associated with the original approval are necessary. **(Affirmative finding)**

7. Functional family;

Not applicable.

8. Vehicular access points;

The single, existing access point to the property will remain unchanged and is sufficient. **(Affirmative finding)**

9. Signs;

No additional signs are included in this proposal.

10. Mitigation measures;

See criterion 6 above.

11. Time limits for construction;

No construction schedule has been proposed, nor is one needed given the minor extent of building and site alterations. The construction must be started within 1 year of approval and completed within 2 years, unless an extension is granted. **(Affirmative finding)**

12. Hours of operation and construction;

Hours of operation will remain unchanged from the original approval. Hours of construction should be limited to 8:00 AM – 6:00 PM, Monday – Friday, with indoor construction allowed on weekends. **(Affirmative finding as conditioned)**

13. Future enlargement or alterations;

Any future enlargement or alteration to the animal kennel will require additional zoning review under the ordinance in effect at that time. **(Affirmative finding)**

14. Performance standards;

Performance standards are addressed under Article 5 of these findings.

15. Conditions and safeguards;

See conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.3, Enterprise Districts:

(a) Purpose

(1) Light Manufacturing (ELM)

The subject property is located in the ELM zone which is intended as the primary commercial/industrial center of Burlington. The proposal amounts to an expansion of an existing commercial use that was previously found to be appropriate for the area. **(Affirmative finding)**

(b) Dimensional Standards & Density

Building area will increase by 1,600 sf, bringing the total building area up to 7,400 sf. Floor area ratio (FAR) in the ELM zone is limited to 2. The proposed FAR is 0.25.

Lot coverage will actually decrease slightly from 58.4% to 57.8%. The maximum permissible coverage in the ELM zone is 80%.

The proposed addition will be 12' tall, much lower than the maximum permissible 45' in the ELM zone.

Front and rear yard setbacks will remain unchanged. There is no side yard setback requirement for this property. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The animal kennel is a conditional use per Article 3 above. A conditional use application has been filed for its expansion as required. **(Affirmative finding)**

(d) District Specific Regulations

Not applicable.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.3 (b) above.

Sec. 5.2.4, Buildable Area Calculation

See Sec. 4.4.3 (b) above.

Sec. 5.2.5, Setbacks

See Sec. 4.4.3 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.3 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.3 (b) above.

Sec. 5.5.1, Nuisance Regulations

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

Sec. 5.5.2, Outdoor Lighting

No new outdoor lighting is proposed. Three existing fixtures will be relocated as a result of the addition. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

Impervious surface will change slightly. As more than 400 sf of earth will be disturbed as part of the project, a small project erosion control form is required. This item has been submitted for review and approval by the Stormwater Administrator. Modifications to the property's stormwater management system are proposed and appear to involve additional infiltration measures. These modifications have been submitted for review and approval by the Stormwater Administrator. **(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

No trees or other significant natural features will be impacted by the project. **(Affirmative finding)**

(b) Topographical alterations

No topographical alterations are proposed. **(Affirmative finding)**

(c) Protection of important public views

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

(d) Protection of important cultural resources

Neither the site nor the building is culturally or historically significant. **(Affirmative finding)**

(e) Supporting the use of alternative energy

See Sec. 3.5.6 (a) 5.

(f) Brownfield sites

The subject property is not an identified brownfield.

(g) Provide for nature's events

See Sec. 5.5.3.

(h) Building location and orientation

Building location and orientation will remain unchanged. The addition is placed to the side of the existing building away from the front facade and does not impact its street presence. **(Affirmative finding)**

(i) Vehicular access

See Sec. 3.5.6 (a) 8.

(j) Pedestrian access

Pedestrian access will remain unchanged with the primary entrance continuing to face Pine Street. **(Affirmative finding)**

(k) Accessibility for the handicapped

Handicap access will remain unchanged with a single handicap parking space. **(Affirmative finding)**

(l) Parking and circulation

Parking will be rearranged somewhat to accommodate the building addition. Several angled spaces will become parallel spaces alongside the addition. Parking remains adequate as noted in Article 8 below. **(Affirmative finding)**

(m) Landscaping and fences

Landscaping will remain essentially unchanged. An extended chain link fence will be installed at the northern end of the outdoor play area and will accommodate a modest expansion of this play area. **(Affirmative finding)**

(n) Public plazas and open space

Not applicable.

(o) Outdoor lighting

See Sec. 5.5.2 above.

(p) Integrate infrastructure into the design

No new ground mounted mechanical units or other site infrastructure are proposed. Onsite stormwater management measures are subject to review under Sec. 5.5.3. **(Affirmative finding)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The overall massing, height, and scale of the building remain essentially unchanged. The proposed addition is small at just 1,600 sf and is placed to the side of the building and set back from the front façade. **(Affirmative finding)**

2. Roofs and Rooflines

The roofline of the addition continues the roofline of the existing structure. **(Affirmative finding)**

3. Building Openings

As with the existing building, fenestration in the addition is spare. The few windows that are proposed in the addition are consistent with those in the rest of the building. **(Affirmative finding)**

(b) Protection of important architectural resources

As noted previously, the existing building is not historically significant. The proposed addition will have no impact on any of Burlington's historic resources. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The street edge remains unchanged. **(Affirmative finding)**

(e) Quality of materials

The addition will be clad in metal siding and roofing that match the existing building. Given the nature and location of the building, these materials are acceptable. **(Affirmative finding)**

(f) Reduce energy utilization

The proposed solar array will reduce the building's dependence on traditional energy supply. The addition must comply with the city's current energy efficiency requirements. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

No new advertising features are included in this proposal.

(h) Integrate infrastructure into the building design

The proposed solar panels are a visible new addition to the rooftop of the building. Given their purpose to capture solar energy, screening would be inappropriate from the two most visible angles – the south and west. While visible, the panels are relatively low profile and fit with the utilitarian nature of this spare commercial building. **(Affirmative finding)**

(i) Make spaces safe and secure

The overhead doorway into the addition will be illuminated. Current egress requirements apply. **(Affirmative finding as conditioned)**

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The existing kennel requires 8 parking spaces. The 1,600 sf addition will increase the requirement to 10 spaces. A total of 12 spaces are provided and will be retained, albeit reconfigured.
(Affirmative finding)

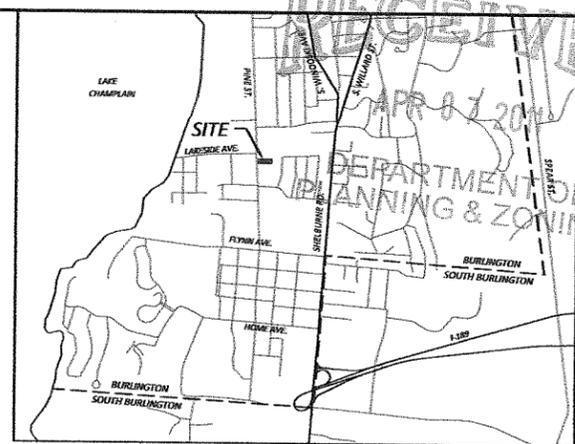
Sec. 8.2.5, Bicycle Parking Requirements

The animal kennel does not require bicycle parking. **(Affirmative finding)**

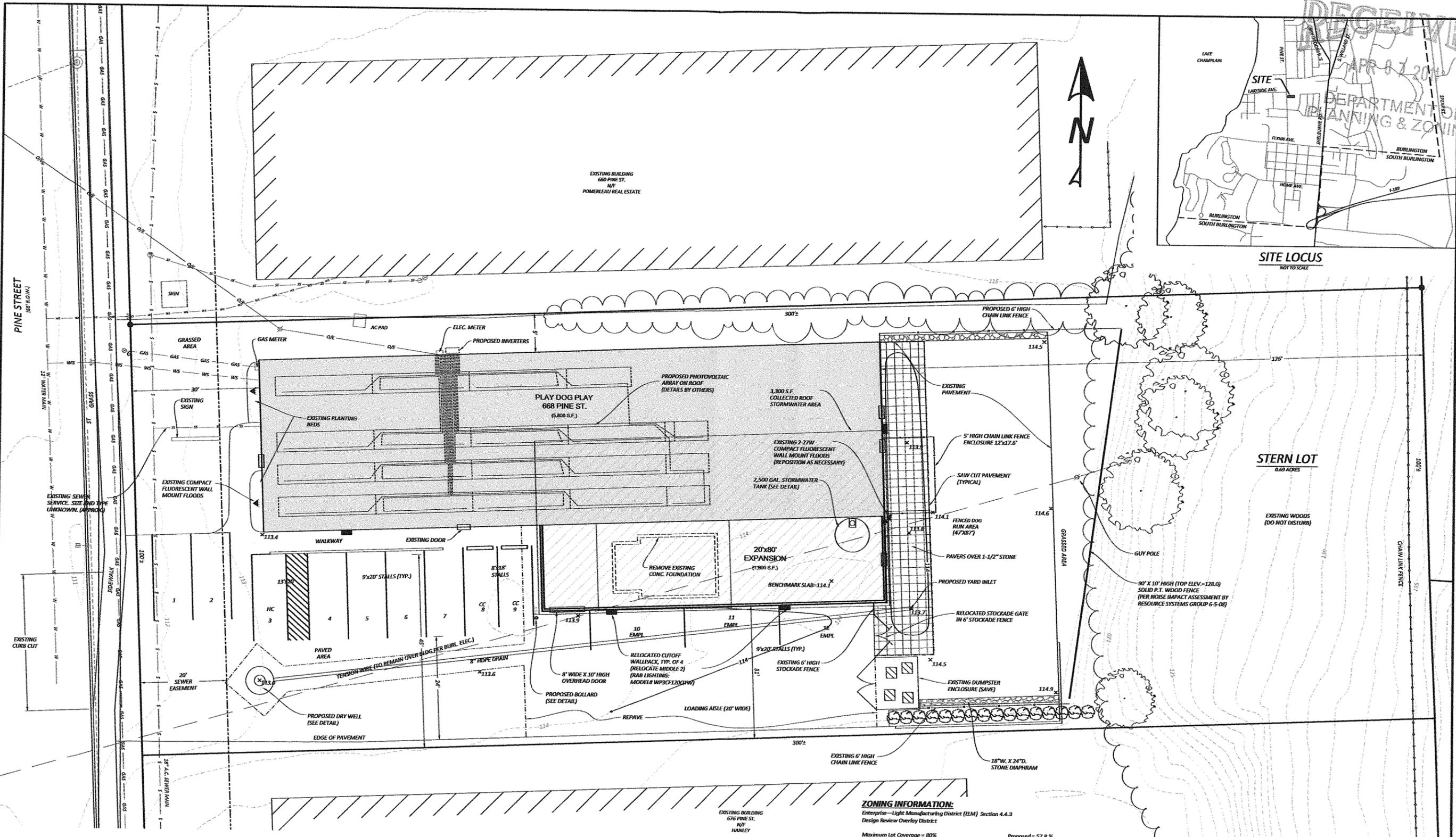
II. Conditions of Approval

1. **Prior to release of the zoning permit**, the applicant shall obtain written approval of the erosion control plan and stormwater management plan from the Stormwater Administrator.
2. 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.
3. The applicant is advised to inquire with the Vermont DEC, Water Quality Division to find out if a new state wastewater permit will be required.
4. Hours of construction shall be limited to 8:00 AM – 6:00 PM, Monday – Friday, with indoor construction allowed on weekends.
5. The proposed addition shall comply with Burlington’s current energy efficiency standards and with Burlington’s current 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. This property is subject to all applicable nuisance regulations and performance standards in the Burlington Code of Ordinances.
8. Standard permit conditions 1 – 18.

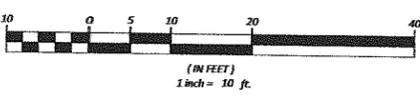
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APR 07 2014
DEPARTMENT OF
PLANNING & ZONING



SITE LOCUS
NOT TO SCALE



NOTES:
1. BASE INFORMATION FROM MAP PROVIDED BY SUMMIT ENGINEERING, INC., 2004 CHITTENDEN COUNTY METROPOLITAN ORGANIZATION ORTHOPHOTOGRAPHY, AND FIELD VERIFICATION.
2. THIS PLAN HAS NOT BEEN PREPARED OR REVIEWED BY A REGISTERED LAND SURVEYOR AND IS TO BE CONSIDERED FOR PLANNING PURPOSES ONLY.



LEGEND

- EXISTING GROUND CONTOUR (FROM 2004 ORTENDEN COUNTY DEM DATA & 2011 FIELD SURVEY)
- PROPOSED FINISH GRADE CONTOUR
- PROPERTY LINE
- EASEMENT
- GAS EXISTING GAS PIPING
- EXISTING OVERHEAD ELEC.
- SS EXISTING SANITARY SEWER PIPING
- W EXISTING WATER SUPPLY PIPING
- EXISTING TREE LINE

COVERAGE CALCULATIONS:

FEATURE	EXISTING (s.f.)	PROPOSED (s.f.)
Building	5,800	7,400
Parking/Walks	12,242	7,522
Doa Run		2,620
Total	18,042	17,542
Lot Size = 29,989 s.f.		
Coverage (%)	58.4 %	57.8%

ZONING INFORMATION:

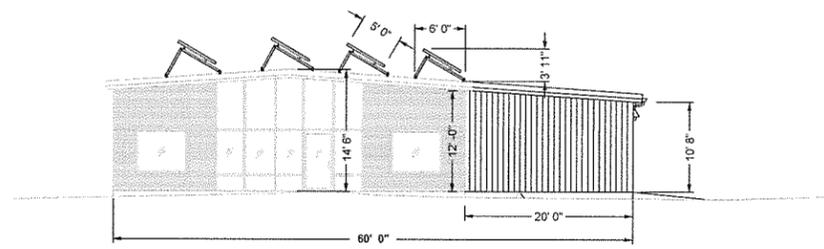
Enterprise - Light Manufacturing District (ELM) Section 4.4.3
Design Review Overlay District
Maximum Lot Coverage = 80%
Proposed = 57.8 %
(17,342 / 29,989)
Existing = 15 ft
Minimum Front Setback = 5 ft
Existing = 30 ft
Minimum Side Setback = 0 ft
or min. 25 ft to residential
Existing = 6 ft (North side)
Proposed = 31 ft (South side)
Minimum Rear Setback = 10% 1st depth
10% x 300 ft = 30 ft
or min. 25 ft to residential
Existing & Proposed = 126 ft
Minimum Lot Size = n.a.
Minimum Frontage = n.a.
Parking = 1.5 stalls/1,000 s.f.
7,400 s.f. = 11.1 = 12 stalls
Proposed = 12 stalls

STERN PROPERTIES LLC. / PLAY DOG PLAY
668 PINE STREET - BURLINGTON, VERMONT

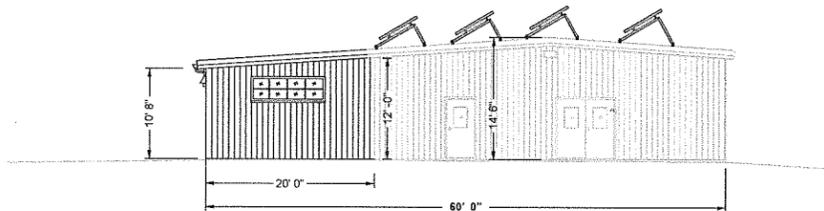
PROPOSED SITE PLAN

DRAWN BY:	MRL
CHECKED BY:	ATS
APPROVED BY:	
DATE:	2-28-11
SCALE:	1"=10'
SHEET:	2 OF 3

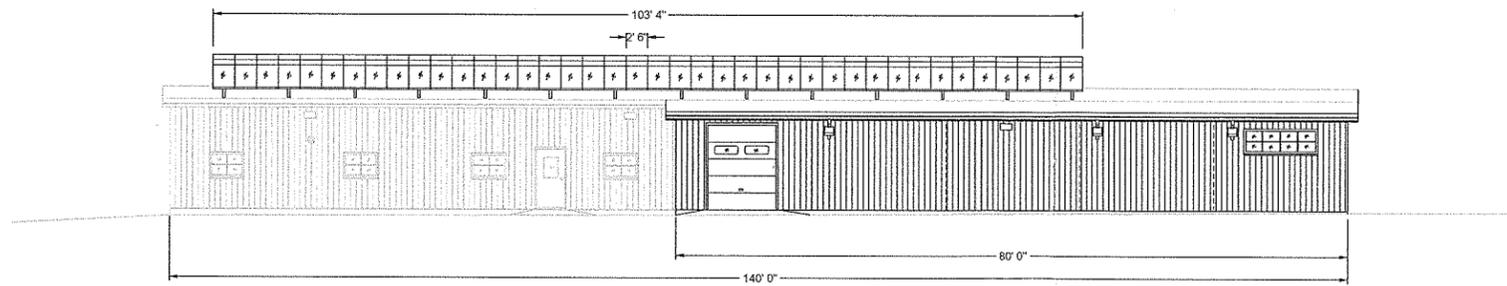
LAKESIDE ENVIRONMENTAL GROUP.
802.489.5214 - WWW.LEGVT.COM
P.O. BOX 4081, BURLINGTON, VERMONT 05406



WEST ELEVATION
(FRONT)



EAST ELEVATION
(BACK)



SOUTH ELEVATION
(SIDE)



SOUTHWEST PERSPECTIVE

MASHA STERN 668 PINE STREET, BURLINGTON, VERMONT	
BUILDING SKETCH	
DRAWN BY:	ATS
CHECKED BY:	ATS
APPROVED BY:	ATS
DATE:	4-8-11
SCALE:	1" = 8'
SHEET:	1 OF 1



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