

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: June 21, 2011
RE: 11-0842SN; 37-43 Church 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: D Ward: 3

Owner/Appellant: Antonio B Pomerleau, LLC / Outdoor Gear Exchange

Request: Appeal of zoning permit denial 11-0842SN to install two parallel Outdoor Gear Exchange signs: One above the canopy on Church Street facade, and one on the corner tower on Church Street. External illumination included.

Overview:

Outdoor Gear Exchange applied for a zoning permit to install two parallel signs on the Church Street façade of the former Old Navy (Woolworths) building. The zoning permit application was denied. That denial has been appealed to the Development Review Board.

Recommendation: Uphold denial of zoning permit application based on the following findings:

I. Findings:

On April 29, 2011, an application was filed for two parallel signs on the Church Street façade of the subject building as noted above. At the time of application, the applicant was aware that the proposed signs would be noncompliant with respect to height.

Upon review of the application, it was denied May 2, 2011 per the following reasons:

1. The subject signs are to be located within the Church Street Marketplace and are therefore subject to Sec. 7.2.4, *Sign Regulations for Church Street Marketplace*, of the Comprehensive Development Ordinance. Criterion (c) 1, Parallel Signs, of this Section limits the height of parallel signs to 14 feet above the lowest point where the sidewalk meets the building line on the façade to which the sign is attached, or where there is a public canopy (as in this case), above the top edge of the glass roof. One of the proposed signs is located above the public glass canopy and reaches up to 19 feet in height. The other proposed sign (on the tower) is placed even higher. The proposed signs do not comply with Sec. 7.2.4 (c) 1 and cannot be permitted.
2. Sec. 6.3.2, *Review Standards*, (g) *Make advertising features complimentary to the site*, requires that the size, location, design, texture, lighting, and materials of all exterior signs

no detract from the use and enjoyment of the proposed building or surrounding properties. As proposed, the sign over the glass canopy is inappropriately located and appears as an obvious add-on. It is not located within anything that could be considered a sign band or other area appropriate for signs. The proposed sign does not comply with Sec. 6.3.2 (g) and cannot be permitted.

3. The subject building is a contributing structure within the Church Street National Historic District. Therefore, Sec. 5.4.8, *Historic Buildings and Sites*, applies. Criterion (b) *Standards and Guidelines*, requires that new work be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property and its environment. The proposed sign over the glass canopy would simply be affixed to the distinctive “Googie” style detailing on the front facade of this modern commercial style building. The proposed location is inappropriate and insensitive to the distinctive characteristics of this building per Sec. 5.4.8 and cannot be permitted.

On May 5, 2011, the denial was appealed within the required 15 day appeal period.

The appeal acknowledges the height limitation but points out other nearby signs on and off the Marketplace that exceed it. The appeal cites the Macy’s, mall, Border’s, Starbucks, and Outdoor Gear Exchange signs as examples of parallel signs exceeding the 14’ height limit. Except for the red directory signs on either side of the mall’s main entrance, all of these signs were permitted prior to adoption of the Comprehensive Development Ordinance in December 2007, and one sign – for the former Outdoor Gear Exchange location – is not on the Marketplace and has different applicable regulations. The appeal does not address reasons for denial 2 or 3.

The red directory signs on either side of the mall’s main entrance were permitted under Sec. 7.2.3 (a) 4 which allows signs to exceed 14’ subject to certain limitations. This section was incorrectly applied in light of the restrictions of Sec. 7.2.4 (c) 1 which prohibits parallel signs exceeding 14’ in any event on the Marketplace. The Macy’s, Border’s and Starbucks signs were all were permitted under the previous Zoning Ordinance. The former Outdoor Gear Exchange sign was also permitted under the previous Zoning Ordinance and is not located on the Marketplace.

The proposed parallel signs exceed the 14’ height limit specified for the Marketplace in Sec. 7.2.4, *Sign Regulations for Church Street Marketplace* and cannot be permitted. Beyond the height limit, the design review provisions of Sec. 6.3.2, *Review Standards, (g) Make advertising features complimentary to the site*, require consideration of the compatibility of the signs with the building. As noted above, the proposed signs bear no relationship to the appearance of the building, and one of them (over the canopy) is not located on any feature that could be considered a sign band. Finally, the subject building is historically significant and entails consideration under Sec. 5.4.8, *Historic Buildings and Sites*. Criterion (b) *Standards and Guidelines* requires that new work be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property and its environment. As noted above, the proposed sign over the glass canopy would simply be affixed to the distinctive “Googie” style detailing on the front facade of the modern commercial style building. The proposed location is inappropriate and insensitive to the distinctive characteristics of the building and cannot be permitted.

II. Recommended Motion:

Uphold the zoning permit denial 11-0842SN as per the findings above.

#96 37-42 Church Street (Woolworth's), 1964, Contributing

This large (135 x 214') single story concrete block building sheathed in enamel panels with a band of large fully glazed storefront windows is a sleek example of modern commercial style. The structure, located at the corner of Church and Cherry streets, is now attached to the Burlington Town Center (#95) and has entries both along Church Street and inside the mall. Although the attached, large neon "Woolworth's" sign has been replaced by a new tenant's (Old Navy), the building retains much of its original form. It has a false fronted tower on the northeastern corner (which accommodated a trade logo), enamel panel sheathing and large storefront window lights. The exterior exhibits some modest 'Googie'-style detailing, such as the folded plate facade and the geometric design embossed on the enamel panels, made popular in California during the late 1950s. The historic interior arrangement had Woolworth's trademark luncheonette located behind the north (right) section of the Church Street facade under the false tower. The luncheonette area is still legible from the exterior in the form of defined triple light window below the tower. A glass canopy on steel supports, installed during the 1981 Church Street remodeling, hugs the building's east and north facades, but ends before the luncheonette window. The Cherry Street (north) facade has a long open one story gazebo style addition that serves as the bus terminal for the Chittenden County Transportation Agency. Benches for bus patrons line the street level of the north facade.

This is the fourth building at this site. Originally it was the location of the home of Jesse J. Starr, a merchant who kept a store on the west side of Church Street in the 1830s. John Johnson surveyed both the home and the store for insurance purposes.ⁱ Starr sold his three story mansard roofed brick home to J. A. Shedd, of Shedd & Walker in the Union Block (#94) in 1852 for \$5,000.ⁱⁱ Walker's property retained its residential use and was detached from adjacent structures until 1894. In 1895, a serious fire in the block owned by H.N. Coon next to Walker's building caused extensive smoke damage there.ⁱⁱⁱ Reconstruction of the brick block at this time was likely when the house was attached to storefronts to the south. By 1906 a three story Italianate brick block enclosed the entire Walker residence. At this time a "5 and 10 Cent Store" was located at nos. 35-37 Church Street and a ladies furnishings establishment occupied nos. 43-45. In 1919 Kent Ice Cream Company occupied a large two and a half story building at the rear of this site, manufacturing its product on the premises. An office and storage building faced Cherry Street. By 1935 an auto laundry and greasing service was located in the Kent building, replaced by a filling station in the 1940s.

The main block of the building became associated with Woolworth's after it acquired the five and dime store. The old brick commercial block was replaced for F. W. Woolworth in 1964 at a cost of \$350,000. The new building absorbed lots previously identified as 37-39 and 41-43 Church Street and 115-119 and 123 Cherry Street.^{iv} Woolworth's occupied the store until 2000, when renovations occurred for the new business, an Old Navy clothing retailer, moved in. At that time the old enameled storefront with the large "W" was replaced with new material and signage, and entrance doors were altered on the west (rear) elevation at the loading dock. Although the building is only forty-four years old it is the sole example of its type in the Church Street Historic District. Its distinctive

1960s modern commercial style, its large interior space, and enameled façade and tower, all intact, combine to make it a contributing structure within the district.

ⁱ Survey of the property of J. J. Starr. John Johnson Papers, Folder 8. University of Vermont Bailey Howe Library, Special Collections. Cherry Street at that time was known as Washington Street. The house was surveyed in 1833, the store in 1834.

ⁱⁱ Town of Burlington Land Records, 23:181. Luther R. Graves and Henry G. Root were the other grantees.

ⁱⁱⁱ *Burlington Free Press* December 5, 1895. 52:291, 6/1. See also *Burlington Lots & Streets*, p. 4 ½, n.d. Town Clerk's Office, City Hall, Burlington. A survey gives Coon as the owner of the property on the southwest corner of Church and Cherry Streets.

^{iv} City of Burlington Planning and Zoning Files, Permit #64-493.

Origins of Googie

Introduction to Googie

Symbols & Metaphors

Cars with jet-like tailfins zoomed past giant tiki gods, rockets and flying saucers on their way to Disneyland. In some ways, the Space Age, or Googie, architecture and design surrounding the park blurred the line between the Magic Kingdom and the real world.

The Elements of Googie

The Space Age Inn, Satellite Shopland and the ultra-modern Bob's Big Boy restaurant were like extensions of the promise of Disney's Tomorrowland. Likewise, a giant tiki with glowing eyes standing before the Pitcairn Motel was nearly as intriguing to young visitors as the restless natives hiding in the jungles of Adventureland.



The Googie Look

End of a Dream

E-mail

These are some of the more exotic examples of Googie, a style of architecture that thrived in the 1950s and early 1960s. It began as commercial architecture designed to make the most of strip shopping centers and other roadside locations. It fit the needs of the new California "car culture" and the dreams of the even newer space age.

Googie began in Southern California, and although it spread (in numerous forms) across the nation, its heart always remained in its birthplace. Los Angeles and Orange County, California remain some of the best places to see what remains of the style.

Googie has also been known as Populuxe, Doo-Wop, Coffee Shop Modern, Jet Age, Space Age and Chinese Modern. In some cases it has been grouped with its cousin, Tiki architecture. It is also sometimes identified as part of a larger overall movement of space-age industrial design. Googie often seems like a joint design by the Jetsons and the Flintstones.

THE ORIGINS OF GOOGIE

Alan Hess, the author of Googie: Fifties Coffeeshop Architecture, traces Googie back to three Coffee Dan's restaurants designed by John Lautner in the early forties.

"He selected the vaults and glass walls and trusses and angles of his buildings to fit the original, often unusual, concepts of space he favored," writes Hess.

Lautner originated the style that would be refined and reinterpreted by many others. Unintentionally, he also gave the style a name when, in 1949, he designed Googie's coffee shop at the corner of Sunset Boulevard and Crescent Heights in Los Angeles.

Professor Douglas Haskell of Yale was driving through Los Angeles when he and architectural photographer Julius Shulman came upon Googie's. "Stop the car!" Haskell yelled. "This is Googie architecture." While Haskell was



dubious about the style, he made the name "Googie architecture" stick by using it in a 1952 article in *House and Home* magazine. Unfortunately, the term soon came to be a slur in "serious" architectural circles.

THE SYMBOLS & METAPHORS OF GOOGIE

Googie, with its extremes, metaphorical qualities and humor has always been hard to categorize. This may have been partly why "serious architects" had trouble taking it seriously while the masses seemed to love it.

Googie architecture and design was art that told a story. The story had many variations, but its general plot was always something like this:

Man left his caves and grass huts and through hard work and ingenuity has built an amazing modern world. Tomorrow he will conquer any remaining problems and colonize the rest of the galaxy. However, for all his achievements and modern science man will never lose touch with the natural world and his noble roots.

The themes of history and primitive man were expressed in buildings and decor that reflected the Old West, the South Seas and even caves. (The interest in South Pacific motifs was partially a result of World War II servicemen returning from tours of duty in that region.)



Man's continuing link to nature was expressed in a number of ways, including the common use of rock and fake rock (flagcrete) walls, lush landscaping, indoor gardens, and vast plate glass windows that broke down traditional barriers between inside and outside. In the world of Googie, it's not uncommon to see UFO-shaped buildings with one rock wall, three glass walls and palm trees growing straight up through a cutout shape in an overhanging roof.

The Elements of Googie

Various designers and architects represented the theme of man's utopian future in many ways. Like obscenity, Googie is hard to define, but we know it when we see it. Some of the more common elements include the following:

Upswept Roofs -- This was especially common in the prototypical Googie buildings: coffee shops. An upswept roof allowed larger glass windows up front. Sometimes these roofs also incorporated the boomerang shape. Either way, it made many buildings look as though they were about to take off and fly. Variations on this style included the parabolic roofs of early Bob's Big Boy restaurants, designed by Armet and Davis.



Large Domes -- Often made of concrete, this was an exotic new shape for buildings made possible by advances in construction technology. It evoked the environment-controlled space stations and



extraterrestrial cities that appeared on the covers of science fiction books and magazines. Some domes were reminiscent of flying saucers. Examples include the Anaheim Convention Center, the Cinerama Dome, and even the glass top of the 1956 prototype Pontiac Firebird.

Large Sheet Glass Windows -- These served several purposes. First, a tall glass front made the building itself a living billboard to drivers on the streets outside. This was a major consideration now that car travel was a key element of commerce. Also, the vast windows brought the outside in and made a sunnier brighter atmosphere for those inside. Often, the use of sheet glass with thin but sturdy steel support structures made roofs appear to float.

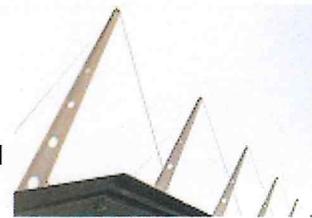
Boomerang Shapes -- This shape appeared in nearly every corner of the design world in the 1950s, and architecture was no exception. It appeared in archways, roadside signs, pools (often called kidney-shaped), and tile mosaics. Outside architecture, the shape was echoed in butterfly chairs, Formica patterns, corporate logos and textile prints. The origins of the boomerang as a symbol of the jet- and space-age is a little hazy, but it may be related to the "flying wing" aircraft, the expressionist art of Paul Klee and Joan Miro', or simply the idea of an arrow shape pointing the way to progress.

Amoebae Shapes -- Sister of the boomerang, amoeboid shapes were amorphous blobs that appeared in many places, including roadside signs. Some suggest that these blobs were the predecessors of the boomerang. Some have also speculated that this design element came from World War II air defense camouflage patterns.

Atomic Models -- This design element appeared in everything from sculpture and roadsigns to dinnerware patterns and household appliances. The interlocking rings of the atomic model were a symbol of man's scientific ingenuity and represented the unlimited power that would make our future utopia possible. It also doubled as an (inaccurate) model of the solar system.

Starbursts -- An even more ubiquitous design element than the atomic model, the starburst took many forms. Just as the atomic model was shorthand for the "innerspace" scientists were exploring, starbursts were symbolic of the outer space being explored by astronauts. It also implied clean and shining surfaces.

Exposed steel beams -- These were usually more about appearance than function, but could serve both purposes. Painted steel I-beams often had **geometric holes** cut in them which served the dual purpose of making them lighter and enhancing their visual similarity to rocket gantries.



Flying Saucer Shapes -- Again, this motif was taken from the movies and covers of science fiction books and magazines. The Space Needle in Seattle, Wash. is an excellent example.

THE GOOGIE LOOK

Although Google buildings were often quite different from one another, Douglas Haskell noted that the style had certain rules:

1. It can look organic, but it must be abstract. "If it looks like a bird, it must be a geometric bird. It's better yet if the house had more than one theme: like an abstract mushroom surmounted by an abstract bird."
2. Ignore gravity altogether. "Whenever possible, the building must hang from the sky."
3. Multiple structural elements. Inclusion is the rule, rather than minimalism.



New materials, including sheet glass, glass blocks, asbestos, plywood and plastic gave the architect a whole new palette to work with. Other innovations allowed steel and cement to be used in new ways. Suddenly, architects had more elbowroom for their dreams. A room made of plastic could look like a log cabin, a space ship, or almost anything.

THE END OF A DREAM

Google was about the past, the present and the future -- But *mostly* the future. It was part of the popular culture, which reinforced a unified vision of a utopian future built on mankind's work and ingenuity.

Like most art forms that told a story or inspired with optimism, Google went out of fashion in the mid-1960s. It died when the story of our grand future died in the hearts of Americans.



Ray Bradbury's story, *The Toynebee Convector*, is a parable of man's need for a unified dream of a better future. The hero of the story says:

"I was raised in a time, in the sixties, seventies, and eighties, when people had stopped believing in themselves. I saw that disbelief, the reason that no longer gave itself reasons to survive, and was moved, depressed and angered by it Everywhere was professional despair, intellectual ennui, political cynicism The impossibility of change was the vogue. . . . Bombarded by dark chaff and no bright seed, what sort of harvest was there for man in the latter part of the incredible twentieth century? Forgotten was the moon, forgotten the red landscapes of Mars, the great eye of Jupiter, the stunning rings of Saturn.

"....Life has always been lying to ourselves to gently lie and prove the lie true to weave dreams and put brains and ideas and flesh and the truly real beneath the dreams. Everything, finally, is a promise. What seems a lie is a ramshackle need, wishing to be born."

Why did we stop believing our own promises? For indeed, the death of our dreams and optimism also marked the death of Google and the space age. Certainly, this is a topic that's been flogged to death over the past thirty-some years, but a few of the popular answers follow:

- The assassination of President Kennedy sparked a national loss of innocence.
- The Vietnam War changed our nation's view of itself.
- The Johnson Administration's decision to focus on "Great Society" programs rather than America's great "rendezvous with destiny."
- Baby boomers -- the children of the can-do World War II generation - hit their late teens and rebelled against their parents' values.
- As the Space Program progressed, Americans became more sophisticated about space travel and "futuristic" technologies. Their view of the "Space Age" was de-romanticized.

Whatever the reasons, no new Google was built. However, the existing buildings have served their communities well ever since, as bowling alleys, churches, professional centers, coffee shops, motels, car washes, etc. Even those who grew up in the 1970s and 80s are likely to have fond memories of burgers and milkshakes in space-age restaurants, bowling in themed bowling alleys or seeing an aging depiction of the future in Disney's Tomorrowland.

Today, the familiar boomerang arches, tapered columns, cantilevers, parabolas and curved domes are being bulldozed at an alarming rate. These buildings stand at an unfortunate juncture: Not new enough to look modern, yet not old enough to be considered historically significant. As the best examples of the genre disappear, we are losing not only part of our history, but also the last reminders of our shared dream of a shining future in a better world.





Burlington Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
www.ci.burlington.vt.us/planning

RECEIVED

MAY 05 2011

PH: 802-865-7188 FAX: 802-865-7195 TTY: 802-865-7142

DEPARTMENT OF PLANNING & ZONING

Appeal of an Administrative Decision Request

Use this form to appeal any Administrative Decision or Notice of Violation - See Sec. 12.2.2 of the Zoning Ordinance.

SUBJECT LOCATION ADDRESS: 37-43 CHURCH ST ZONE: D

Subject Property Owner: POMERAN

Appellant: MARC SHERMAN

Agent/Representative:

Mailing Address: 37 CHURCH

City, St, Zip: BURLINGTON, VT 05401

Day Phone: 802-598-1185 Email: DUCK@GEARX.COM

Appellant Signature: [Signature] Date: 5/3/11

In order for your request to be considered complete, the following information must be provided as applicable:

- The Appeal fee of \$135;
Description of the decision under appeal;
Description of the property subject to the appeal;
Reference to the regulatory provisions applicable to the appeal;
Relief requested by the appellant;
Alleged grounds why such requested relief is believed proper under the circumstances.

Office Use Only:

Check No. 11876 Amount Paid \$135 Zoning Permit # 11-08425N

RECEIVED

MAY 02 2011

DEPARTMENT OF
PLANNING & ZONING

RECEIVED

MAY 02 2011

DEPARTMENT OF
PLANNING & ZONING

May 2, 2011

Mr. Scott Gustin
City of Burlington
149 Church Street, City Hall
Burlington, VT 0540-8415

Scott,

I am writing to appeal the decision to deny our zoning request for a parallel sign on the front of 37 Church street, formerly Old Navy and before that, Woolworths. The initial request was denied due to the height of the sign I requested permission for.

The proposed sign would start at 14ft off the ground and at it's top would be 19 feet off the ground. It is the current sign in use at Outdoor Gear Exchange on Cherry street.

While I understand the height restrictions in place, I am appealing this decision based on the following two points:

- The glass awning over the edges of Church street terminates against the building at roughly 13.5 feet making it impossible to place the sign below that height (and a 6" conforming sign is unreasonably small for a space with 60lf of frontage)
- Previously existing signs on this building extended well above the 14ft height, and indeed above the 19ft height we are proposing for the top of our sign.
- There are numerous store within 150 feet of this space (Macy's, all shops in the mall, Borders, Starbucks, and Outdoor Gear Exchange) with parallel signs above the 14 foot line

I am requesting the opportunity to sit before the Design Review Board to make this appeal in person at their earliest available meeting.

Thank you,


Marc Sherman

Enclosed: Information sheets on the proposed LED gooseneck lighting for the sign.

RECEIVED

MAY 02 2011

DEPARTMENT OF
PLANNING & ZONING

Marc Sherman <duck@gearx.com>



Mail

1 message

Marc Sherman <duck@gearx.com>
To: duck@gearx.com

Mon, May 2, 2011 at 4:19 PM

Marc Sherman
Visionary, Outdoor Gear Exchange

Please forgive any typos - this email was typed on a teeny tiny touch screen keyboard.



photo.JPG
317K

RECEIVED

MAY 02 2011

DEPARTMENT OF
PLANNING & ZONING

Marc Sherman <duck@gearx.com>



(no subject)

1 message

Marc Sherman <duck@gearx.com>

Mon, May 2, 2011 at 4:19 PM

To: duck@gearx.com

Marc Sherman
Visionary, Outdoor Gear Exchange

Please forgive any typos - this email was typed on a teeny tiny touch screen keyboard.

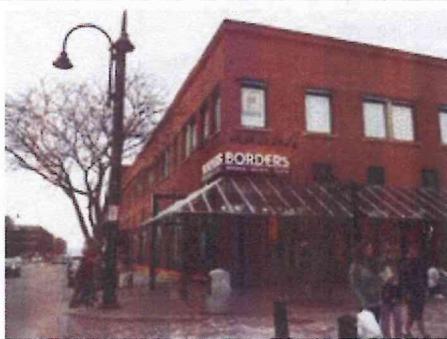


photo.JPG
402K



RECEIVED

MAY 02 2011

Marc Sherman <duck@gearx.com>

OGE

1 message

DEPARTMENT OF
PLANNING & ZONING

Marc Sherman <duck@gearx.com>
To: duck@gearx.com

Mon, May 2, 2011 at 4:20 PM

Marc Sherman
Visionary, Outdoor Gear Exchange

Please forgive any typos - this email was typed on a teeny tiny touch screen keyboard.

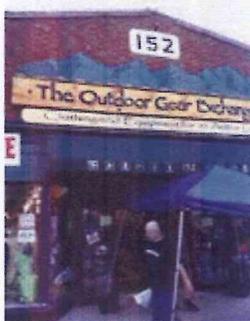
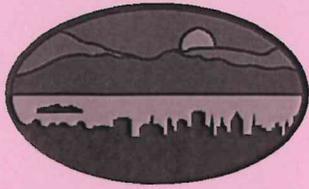


photo.JPG
347K



**ZONING REQUEST DENIAL
SIGNS AND AWNINGS**
City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 4/29/2011

Appeal Expiration Date: 5/17/2011

Project Location: 37-43 CHURCH STREET

District: D

Owner: ANTONIO B POMERLEAU LLC

Address: 69 COLLEGE STREET
BURLINGTON, VT 05402

Ward: 3

Telephone:

Tax ID: 044-4-005-000

Project Type: Commercial - Other Project Type

Project Description: Install one parallel Outdoor Gear Exchange sign above canopy on Church Street facade. External illumination included.

Construction Cost:	\$500	Lot Size (Sq Ft):	25,375
Net New Square Feet:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	0.00	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	0.00	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	0.00	Required # of Parking Spaces:	0

Zoning Permit #: 11-0842SN

Decision Type: Administrative

Level of Review: 1

Decision: Denied

See Reasons for Denial

Decision Date: May 2, 2011

Project File #: NA

Zoning Administrator

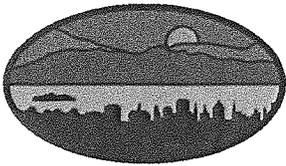
An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on May 17, 2011.

Fee Type	Amount	Paid in Full	Balance Due:	\$0.00
Application Fee:	\$90.00	Yes	Date Paid: _____	
Development Review Fee:	\$0.00	NA	Check # _____	
Impact Fee:	<i>Not Applicable</i>			

Building Permit Required: **Not Applicable**

Received by: _____

Date: 5/5/11



City of
Burlington, Vermont
149 Church Street

Zoning Permit - Signs and Awnings – Reasons for Denial

ZP #: 11-0842SN

Tax ID: 044-4-005-000

Issue Date: May 2, 2011

Decision: Denied

Property Address: 37-43 CHURCH STREET

Description: Install one parallel Outdoor Gear Exchange sign above canopy on Church Street facade. External illumination included.

Reasons for Denial:

1. The subject sign is to be located within the Church Street Marketplace and is therefore subject to Sec. 7.2.4, *Sign Regulations for Church Street Marketplace*, of the Comprehensive Development Ordinance. Criterion (c) 1, Parallel Signs, of this Section limits the height of parallel signs to 14 feet above the lowest point where the sidewalk meets the building line on the façade to which the sign is attached, or where there is a public canopy (as in this case), above the top edge of the glass roof. The proposed sign is located above the public glass canopy and reaches up to 19 feet in height. The proposed sign does not comply with Sec. 7.2.4 (c) 1 and cannot be permitted.
2. Sec. 6.3.2, *Review Standards*, (g) *Make advertising features complimentary to the site*, requires that the size, location, design, texture, lighting, and materials of all exterior signs no detract from the use and enjoyment of the proposed building or surrounding properties. As proposed, the sign is inappropriately located and appears as an obvious add-on. It is not located within anything that could be considered a sign band or other area appropriate for signs. The proposed sign does not comply with Sec. 6.3.2 (g) and cannot be permitted.
3. The subject building is a contributing structure within the Church Street National Historic District. Therefore, Sec. 5.4.8, *Historic Buildings and Sites*, applies. Criterion (b) *Standards and Guidelines*, requires that new work be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property and its environment. The proposed sign would simply be affixed to the distinctive “Googie” style detailing on the front facade of this modern commercial style building. The proposed location is inappropriate and insensitive to the distinctive characteristics of this building per Sec. 5.4.8 and cannot be permitted.



Burlington Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
www.ci.burlington.vt.us/planning

RECEIVED

APR 29 2011

PH: 802-865-7188 FAX: 802-865-7195 TTY: 802-865-7142

DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 37 CHURCH ST ZONE: _____

PROPERTY OWNER*: ANTONIO POLIEREAU APPLICANT: OUTDOOR GEAR EXCH.

POSTAL ADDRESS: 69 COLLEGE ST. POSTAL ADDRESS: _____

CITY, ST, ZIP: BURLINGTON VT 05401 CITY, ST, ZIP: BURLINGTON, VT 05401

DAY PHONE: 802-863-8210 DAY PHONE: 802-860-0190

EMAIL: N/A EMAIL: DUCK@GEARX.COM

SIGNATURE: [Signature] SIGNATURE: [Signature]

*If condo, approval from the Association is also required

Description of Proposed Project:

~~TREE~~ SIGN ON 37 CHURCH ST RETAIL LOCATION
1 ABOVE ANNING
1 ON TOWER

Existing Use of Property: Single Family Multi Family: _____ Units Other: COMMERCIAL RETAIL

Proposed Use of Property: Single Family Multi Family: _____ Units Other: SAME

Will 400 square feet or more area of land be disturbed and/or developed? Yes No

(If yes, you will need to provide the 'Erosion Prevention and Sediment Control Plan' questionnaire with a site plan)

Estimated Construction Cost (value)*: \$ 500⁰⁰

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building permit may also be required. Contact the Department of Public Works at 802-865-7559 to inquire about a building permit. Please allow yourself ample time.

Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office on the lower level of City Hall, 149 Church Street.

Office Use Only: Eligible for Design Review? _____ Age of House _____ Lot Size _____

Type: SN AW _____ FC _____ BA _____ COA 1 _____ COA 2 _____ COA 3 _____ CU _____ MA _____ VR _____ HO _____ AP _____ DT _____ MP _____

Check No. 11869 Amount Paid \$90 Zoning Permit # 11-08425N

+ 11881 \$80 on 5/12/11

Check All that Apply, Specify Number and Sizes:

Type: Freestanding # _____ Parallel # _____ Projecting # _____ Window # _____

Illumination: None # _____ External # _____ Internal # _____

Materials: Metal Neon Plastic Wood Other: FIRE RATED
GEAR OUTDOOR GEAR EXCHANGE

Building: Length of Building Frontage Devoted to your Business = _____ ft.

Sign A: Length = 240 in. Height = 24-48 in.
Area = 30 square feet. Height to top of sign = 19 ft.

Sign B: Length = 18' in. Height = 203' in.
Area = 30 square feet. Height to top of sign = _____ ft.
square
feet

Sign C: Length = _____ in. Height = _____ in.
Area = _____ square feet. Height to top of sign = _____ ft.

How many existing signs on the building or property are associated with your business? 0

How many existing signs are being replaced? 0

Total Cost of Proposed Sign(s): \$ 500

Size of each existing sign: 0

Proposed Signage Use: Retail Restaurant Office
 Home Occupation Other _____

TOTAL CHURCH STREET FRONTAGE = 60 FT
SEE ATTACHED MOCK-UP

RECEIVED
APR 29 2011
DEPARTMENT OF
PLANNING & ZONING

SGN A

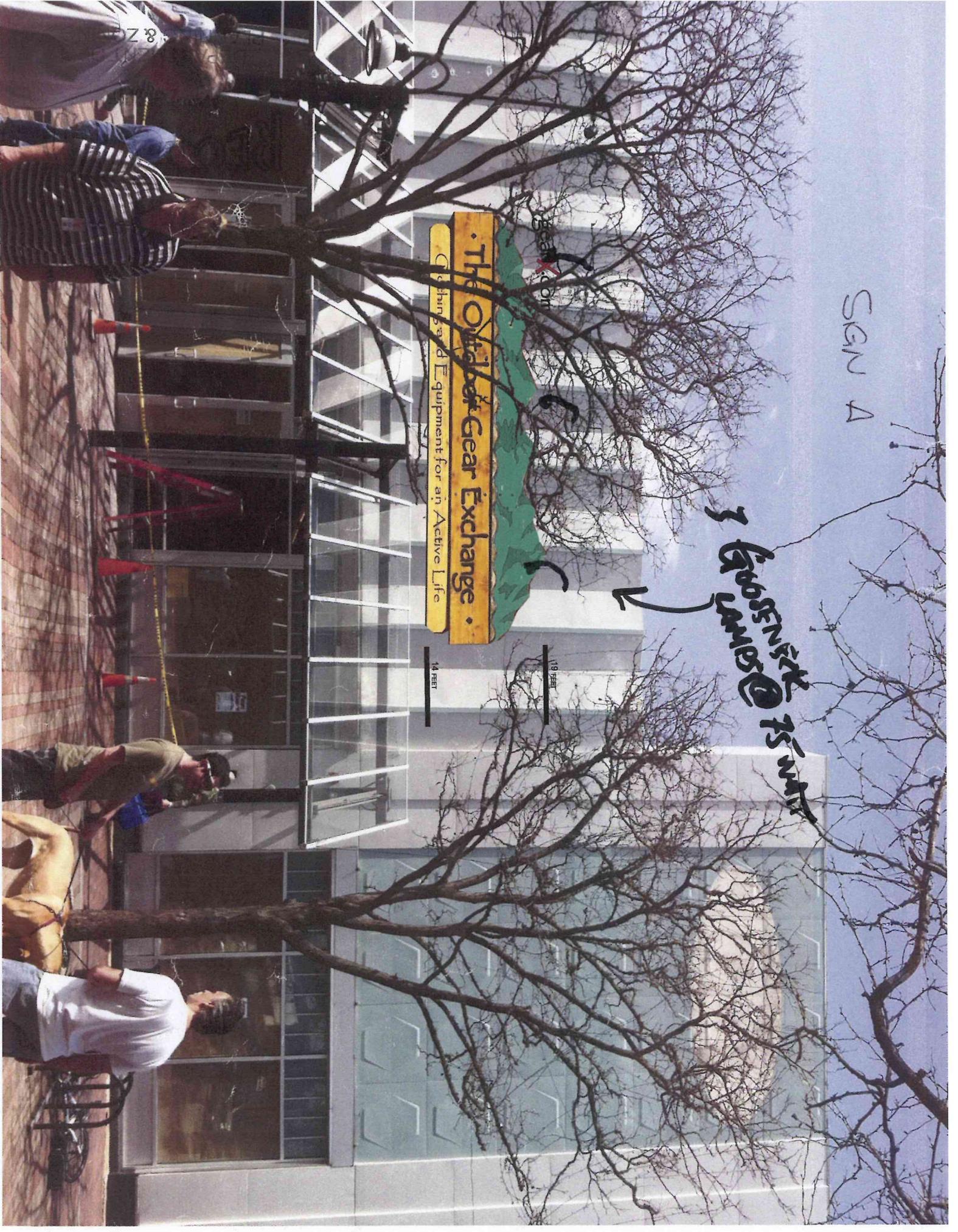
3 GROSS WEIGHT 75 WATT



SEAN X.COM
The Outdoor Gear Exchange
Clothing and Equipment for an Active Life

19 FEET

14 FEET



8 Z



ROOFLINE LOCATION AND SITE
SAMPLES (SAND, ILLITE)
AS AND JAR
GOOSENECK LED.

10' x 3' = 30'