

Department of Planning and Zoning

149 Church Street

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Principal Planner
Date: March 15, 2016
RE: ZP16-0856CU; 298 College 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.

File: ZP16-0856CU

Location: 298 College Street (former Ethan Allen Club)

Zone: RH **Ward:** 8E

Date application accepted: February 12, 2016

Applicant/ Owner: Greater Burlington YMCA

Request: Establish a health club use in a portion of the existing building. (1971 sq. ft. illustrated on plan of first floor.) No changes to site or building exterior proposed.



Background:

- Non Applicability of Zoning Permit Requirements 16-0825NA; interior work. February 2016.
- Zoning Permit 15-0853CA; change of use from temporary homeless shelter to temporary art gallery. Art gallery to be removed within 60 days of the date of approval. March 2015.
- Zoning Permit 15-0675CU; seasonal change of use from club to community house / overnight shelter. January 2015.
- Zoning Permit 11-0604SN; replacement parallel sign for Ethan Allen Center, approx.. 14 sq. ft. February 2011.

- Zoning Permit 99-576; installation of nonilluminated parallel sign for existing Ethan Allen Club. This is the only sign for the site. June 1999.
- Zoning Permit 97-299; installation of a nonilluminated fabric awning over the rear entry of the existing Ethan Allen Club. Emblem graphic without lettering to be applied to the end elevation of the awning. February 1997.
- Zoning Permit 97-298; removal of the existing structural canopy (cars drive under) over the rear entrance to the existing Ethan Allen Club. No change to traffic patterns or façade alterations included in this application. February 1997.
- Non Applicability of Zoning Permit Requirements, continued use as a membership club for the Knights of Columbus. March 1996.
- Zoning Permit 94-105 / COA 094-023; construction of an eight car parking lot for existing office building on adjacent lot. To be accessed by that lot. Existing use of parcel is the Ethan Allen Club. August 1993.
- Zoning Permit 85-104; erect a 4' x 2' freestanding sign bearing the name of the business. April 1985.
- Zoning Permit 80-843; renovation; move exterior wall eight feet to north in the bar area only, new fireplace, new bar, insulation, electrical. April 1980.
- Zoning Permit (n.n.); restore a portion of the existing building at 298 College Street and erect an addition to encompass 18,488 sq. ft. for the overall size of the structure, or to demolish the existing building and erect a new 72' x 120' two story building to encompass 16,280 sq. ft. Approval to demolish existing structure and erect new 72' x 120' two story building. March 1972.

Overview: The former Ethan Allen Club was sold to Champlain College in December 2008; who in turn sold to the Greater Burlington YMCA in August 2015. The Y would like to use the facility to accommodate fitness classes currently held at 266 College Street. The proposed health club use is planned 7 days per week; weekdays before 10:00 AM and after 5:00 pm and potentially over the lunch hour; weekends before noon and potentially from 4-6:00 pm. They propose 2-3 staff onsite at any time. Classes would be limited to the first floor.

Recommendation: Consent approval, per the following findings and conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 5: Conditional Use and Major Impact Review

Section 3.5.6 Review Criteria

(a) Conditional Use Review Standards (as adopted by City Council 8.10.2015)

Approval shall be granted only if the DRB, after public notice and public hearing, determines that the proposed conditional use and associated development shall not result in an undue adverse effect on each of the following general standards:

1. *Existing or planned public utilities, facilities, or services are capable of supporting the proposed use in addition to the existing uses in the area.*

This is an existing building which has accommodated large groups since its construction in 1972. There is no anticipated adverse impact to public utilities, facilities or services.

Affirmative finding.

2. *The character of the area affected as defined by the purpose or purposes of the zoning district(s) within which the project is located, and specifically stated policies and standards of the municipal development Plan;*

The project is within the high density residential area (RH) which is intended primary for high density attached multi-family residential development. Development is intended to be intense with high lot coverage, large buildings, and buildings placed close together. As noted, this building (and site) has been the long term home of the Ethan Allen Club, which preexisted the current building. Parking is hidden behind the building, but with a dual frontage on Bradley Street.

From the Municipal Development Plan:

- ❖ *Encourage the adaptive reuse and redevelopment of under utilized sites and buildings (Land Use Plan, Page I-2)*
- ❖ *Encourage mixed-use development patterns, at a variety of urban densities, which limit the demand for parking and unnecessary automobile trips, and support public transportation. (Ibid.)*
- ❖ *Nuture sustainable development to provide for the city and its residents over the long term (Economic Development Plan, page VI-2.)*
- ❖ *Make the most effective and efficient use of existing services, buildings, utilities, and facilities before adding new capacity, or initiating new construction. (Community Facilitais and Services Plan, Page VII-2.)*
- ❖ *Provide educational opportunities and schedules that reflect residents' needs and provide flexibility in meeting future needs. (Education Plan, Page X-1.)*

Affirmative finding.

3. *The proposed use will not have nuisance impacts from noise, odor, dust, heat, and vibrations greater than typically generated by other permitted uses in the same zoning district;*

After the sale of the membership club, the site has been the temporary home of a daycare, a homeless shelter, and an art gallery. As a large facility designed to accommodate groups, the impact of the proposed health club fitness classes are not likely to equal or exceed those of previous uses on site. **Affirmative finding.**

4. *The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity; level of service and other performance measures; access to arterial roadways; connectivity; transit availability; parking and access; impacts on pedestrian, bicycle and transit circulation, safety for all modes; and adequate transportation demand management strategies;*

The proposed extension of health club activities to this site will utilize the existing infrastructure and connectivity to College Street and Bradley Street. As is typical of the current YMCA use, many members walk or bike to the site to participate in fitness classes; therefore diminishing the vehicular demand on parking and local streets.

Affirmative finding.

And

5. *The utilization of renewable energy resources;*

The application does not include any specific utilization of renewal energy resources.
and

6. *Any standards or factors set forth in existing City bylaws and city and state ordinances.*

The change of use may require a state wastewater permit; it is the responsibility of the applicant to determine that or other overarching ordinances.

Affirmative finding as conditioned.

(c) Conditions of Approval

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. *Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area;*

There is an existing parking lot which will accommodate the proposed use. No mitigation measures are required.

2. *Time limits for construction.*

Any construction activities are proposed for the interior, and are limited to carpet removal, wall partition removal, and painting. This should be done expeditiously and without any public nuisance. The applicant will be required to secure any required trades permits from the Department of Public Works for interior work.

3. *Hours of operation and/or construction to reduce the impact on surrounding properties.*

There will be no exterior construction. Fitness classes are proposed 7 days/week; weekdays primarily before 10:00 AM and after 5:00 PM. A lunchtime class schedule may be developed. Weekend hours are proposed before noon and approximately 4-6:00 PM. Given the specifically defined space and limited schedule of activities, this should not unreasonably burden the existing neighborhood. Quite the contrary, the extension of Y classes to this building is likely to be an enhancement for residential neighbors due to the proximity to home and workplace.

4. *That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions,*

Any expansion or alteration of the Conditional Use will require review by the Development Review Board under regulations in effect at the time of the request.

and

5. *Such additional reasonable performance standards, conditions and safeguards as it may deem necessary to implement the purposes of this chapter and the zoning regulations.*

This is at the discretion of the Development Review Board. **Affirmative finding as conditioned.**

Article 8: Parking

Health Club requires 3 parking spaces / 1000 sq. feet in the Neighborhood Parking District. For the proposed 1971 sq. ft., 6 parking spaces are required. The applicant has provided that there are 70 parking spaces in the existing lot; sufficient to accommodate the requested new use. **Affirmative finding.**

II. Conditions of Approval

1. Any alteration or expansion of the Conditional Use will require return for review under the regulations in effect at that time.
2. The change of use may require a state wastewater permit; it is the responsibility of the applicant to determine that or other overarching ordinances.
3. Standard Permit Conditions 1-15.

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