

## Department of Permitting & Inspections

Zoning Division  
645 Pine Street  
Burlington, VT 05401  
Telephone:(802) 865-7188

*William Ward, Director  
Scott Gustin, AICP, CFM, Principal Planner  
Mary O'Neil, AICP, Principal Planner  
Ryan Morrison, Associate Planner  
Joseph Cava, Planning Technician  
Celeste Crowley, Zoning Clerk  
Ted Miles, Code Compliance Officer  
Charlene Orton, DPI Administrator*



**TO:** Development Review Board  
**FROM:** Ryan Morrison  
**DATE:** May 17, 2022  
**RE:** ZP-22-196; 98 University Road

=====  
**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: I      Ward: 1E

Owner/Representative: University of Vermont / Derick Read

**Request:** Install a permanent canopy roof over a section of the existing right field seating at Centennial Field. The area under the canopy covered seats will be converted to concrete and a 6' wide pervious walk will be installed along the backside of the covered area. An area of pavement behind the grandstands will be restored to vegetation.

### **Applicable Regulations:**

Article 2 (Administrative Mechanisms), Article 4 (Zoning Maps and Districts), Article 5 (Citywide General Regulations), Article 6 (Development Review Standards)

### **Background Information:**

The applicant is seeking to install a permanent canopy roof over a section of the existing right field seating at Centennial Field. The area under the canopy covered seats will be converted to concrete and a 6' wide pervious walk will be installed along the backside of the covered area. An area of pavement behind the grandstands will be restored to vegetation.

Previous zoning actions for the property are as follows.

- 5/6/94, Approval to replace outfield fence
- 10/28/94, Approval for concourse and concession stand improvements
- 11/17/94, Approval for stadium-wide renovations
- 6/2/99, Approval to install walk-in cooler
- 5/31/11, Approval to install temporary lockers
- 5/14/12, Approval to install replacement stadium light poles
- 10/1/12, Approval to install replacement and new fencing
- 10/9/12, Approval to expand size of existing dugouts
- 10/16/12, Approval to install replacement seats throughout
- 5/10/13, Approval to construct concrete deck behind home plate for additional seating
- 5/31/13, Approval to install ADA compliant ramp
- 8/27/13, Approval to install replacement seating
- 12/24/13, Approval to expand ticket office

- 10/10/14, Approval to remove concession stand and install 2 food trailers
- 11/10/14, Approval to install additional chain link fencing
- 10/22/15, Approval to construct a small retail enclosure
- 4/8/16, Approval to install additional fencing
- 5/20/16, Approval to replace a window with a door
- 8/2/17, Approval for the temporary use of trailer for office and storage space
- 10/24/17, Approval for additional fencing
- 2/27/18, Approval to install protective netting and associated poles
- 5/6/19, Approval to install a batting cage
- 5/7/21, Approval to add seating along right and left field fences, add an outdoor deck for table seating, and replace an existing concessions stand.

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

## **I. Findings**

### **Article 2: Administrative Mechanisms**

#### **Section 2.7.8 Withhold Permit**

**Per this standard**, the applicant is required to remedy all violations and close out all zoning permits issued after July 13, 1989. A condition pertaining to this standard was placed on zoning permit ZP18-0712CA for a previous zoning permit – which was addressed. However, as of the date of staff report preparation, ZP18-0712CA remains open – meaning any new zoning permits cannot be approved until all zoning permits issued after July 13, 1989 are closed. Should ZP18-0712CA be closed by the DRB meeting date of May 17, 2022, then this permit can be approved. If it is not, then the DRB can choose to continue this application to a later meeting date, or deny the application. **(No finding possible)**

### **Article 4: Zoning Maps & Districts**

#### ***Sec. 4.4.4, Institutional District:***

##### ***(a) Purpose***

The Institutional zone is intended primarily to support the city’s major educational and health care institutions. In addition, the district is intended to support a broad range of related uses reflecting the resident institutions’ roles as regional educational, health care, cultural, and research centers. The proposed canopy and ground work around and above existing seating is associated with the university’s ball park (Centennial Field). **(Affirmative finding)**

##### ***(b) Dimensional Standards & Density***

Maximum lot coverage allowance is 40%. Based on previous zoning permits, the existing lot coverage totals 34.82%. The current proposal will result in 34.9% lot coverage. No other changes to the site, or setbacks will occur. **(Affirmative finding)**

##### ***(c) Permitted & Conditional Uses***

The long existing baseball stadium, or *Recreational Facility – Outdoor Commercial* use, is a conditional use under today’s standards. No change in use, or new use, is proposed. **(Affirmative finding)**

### **Article 5: Citywide General Regulations**

#### ***Sec. 5.2.3, Lot Coverage Requirements***

Not applicable.

***Sec. 5.2.4, Buildable Area Calculation***

Not applicable.

***Sec. 5.2.5, Setbacks***

Not applicable.

***Sec. 5.2.6, Building Height Limits***

Not applicable.

***Sec. 5.2.7, Density and Intensity of Development Calculations***

Not applicable.

***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***

Not applicable.

***Sec. 5.5.3, Stormwater and Erosion Control***

Because ground disturbance will exceed 400 sf, an approved Erosion Prevention and Sediment Control plan will be required. **(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:**

The proposed work will occur within the existing Centennial Field facility. No natural features will be affected. **(Affirmative finding)**

**(b) Topographical Alterations:**

No topographical alterations are proposed. Not applicable.

**(c) Protection of Important Public Views:**

There are no protected public views from this site. Not applicable.

**(d) Protection of Important Cultural Resources:**

Not applicable.

**(e) Supporting the Use of Renewable Energy Resources:**

There is nothing within the application to preclude the use of wind, water, geothermal, solar or other alternative energies. **(Affirmative finding)**

**(f) Brownfield Sites:**

None identified. Not applicable.

**(g) Provide for nature's events:**

*Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.*

*Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.*

The applicant will need to obtain approval of an Erosion Prevention and Sediment Control plan prior to the release of this zoning permit. The proposal specifically involves shelter for an open seating area, and stormwater mitigating measures such as infiltration trenches will be included.

**(Affirmative finding)**

**(h) Building Location and Orientation:**

The proposed canopy is within the Centennial Field facility, well out of view from neighboring properties and streets. **(Affirmative finding)**

**(i) Vehicular Access:**

Vehicular access will remain the same as existing – directly off University Road. **(Affirmative finding)**

**(j) Pedestrian Access:**

Pedestrian access to and within the facility will remain as existing. **(Affirmative finding)**

**(k) Accessibility for the Handicapped:**

No changes to existing handicap access is proposed. **(Affirmative finding)**

**(l) Parking and Circulation:**

The proposal is simply to add a concrete base for existing seating and to add a canopy roof. No additional seating is proposed, therefore no additional parking is required. **(Affirmative finding)**

**(m) Landscaping and Fences:**

Not applicable.

**(n) Public Plazas and Open Space:**

Not applicable.

**(o) Outdoor Lighting:**

*Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.*

Not applicable. This proposal does not include new lighting.

**(p) Integrate infrastructure into the design:**

*Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.*

*Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.*

*Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.*

Not applicable.

**Part 3, Architectural Design Standards**

**Sec. 6.3.2, Review Standards**

*(a) Relate development to its environment*

*1. Massing, Height, and Scale*

The massing, height, and scale of the canopy roof will be significantly less than the surrounding stadium stands. **(Affirmative finding)**

*2. Roofs and Rooflines*

Not applicable.

*3. Building Openings*

Not applicable.

*(b) Protection of important architectural resources*

Not applicable.

*(c) Protection of important public views*

See 6.2.2 (c) above.

*(d) Provide an active and inviting street edge*

Not applicable.

*(e) Quality of materials*

The canopy roof will be of a typical awning/tent material designed to function as shelter from the elements. **(Affirmative finding)**

*(f) Reduce energy utilization*

Not applicable.

*(g) Make advertising features complimentary to the site*

No advertising is included in this proposal. Not applicable.

*(h) Integrate infrastructure into the building design*  
Not applicable

*(i) Make spaces safe and secure*

The open-air canopy roof will not create any sort of obstruction in case of emergency.

**(Affirmative finding)**

## **II. Conditions of Approval**

1. **Prior to the release of the zoning permit**, the applicant shall submit an Erosion Prevention and Sediment Control plan to the Stormwater Program Manager for review and approval.
2. Standard permit conditions 1-15.