

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, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin 
DATE: December 16, 2014
RE: 15-0631CU; 101 Main 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: DT Ward: 3

Owner/Representative: Catamount/Van Ness, LLC & Vermont Comedy Club, LLC

Request: Establish performing arts center in existing vacant commercial space

Applicable Regulations: Article 3 (Applications and Reviews), Article 4 (Zoning Maps & Districts), and Article 8 (Parking)

Background Information:

The applicant is seeking approval to establish a performing arts center within the ground floor of the armory building at 101 Main Street. No site or exterior building construction is included in this application. The application notes that the performing arts center will have a maximum capacity of 300 people split between the lounge, showroom, and class room spaces. This capacity, of course, is subject to review and approval by the Building Inspector and Fire Marshal.

Previous zoning actions for this property are listed below:

- 9/8/14, Approval of parallel signs
- 11/20/07, Second 1-year extension of permit to change use to office/retail
- 11/21/06, 1-Year extension of permit to change use to office/retail
- 10/25/04, Approval to change use, convert existing office/nightclub into office/retail as a result of fire damage
- 9/24/04, Approval for window and door replacement
- 7/7/04, Approval to convert 1st floor bar and 2nd floor office space into 2 floors consisting of nightclub/theatre
- 10/7/03, Approval of parallel sign

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

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

(1) The capacity of existing or planned community facilities;

The proposed performing arts center will occupy a long-vacant commercial space on the edge of downtown. Sufficient infrastructure is in place to serve it. If not already included in the wastewater permit for the new hotel, a state wastewater permit will be required for the proposed performing arts center. **(Affirmative finding)**

(2) The character of the area affected;

The subject property is located in the Downtown Transition (DT) zoning district, specifically DT Main Street South. While the armory is on its own parcel of land, the building is incorporated into the new hotel presently under construction on the adjacent parcel. The proposed performing arts center would occupy the ground floor of the armory building. The DT zone is intended to provide for a variety of uses and to ensure a balance and continuity in the character and scale of development on both sides of Main Street. Neither the site nor the exterior of the building will change as a result of this proposal. The outward appearance of the built environment will remain unchanged. The proposed performing arts center is intended to bring new life to a long-vacant space with a socially engaging use. **(Affirmative finding)**

(3) Traffic on roads and highways in the vicinity;

Some basic traffic information has been provided. Anticipated traffic impacts are less than those that would require a professional traffic impact analysis. Peak hours are expected to be weekend evenings. About half as many guests are anticipated on weekday evenings. Daytime use will be limited to classroom space and is anticipated to be even less. Given the property's location and easy accessibility via walking, biking, and other alternative modes of transportation, traffic generation is expected to be proportionately modest. **(Affirmative finding)**

(4) Bylaws then in effect;

As conditioned, the application is consistent with applicable bylaws. **(Affirmative finding)**

(5) Utilization of renewable energy resources;

Not applicable.

(6) Cumulative impacts of the proposed use;

The proposed performing arts center is not expected to generate any significant cumulative impacts. **(Affirmative finding)**

(7) Functional family;

Not applicable.

(8) Vehicular access points;

The subject property has no onsite vehicular access, nor has it ever. Vehicular access is limited to the nearby public streets and parking facilities. **(Affirmative finding)**

(9) Signs;

No exterior signs are included in this application. Any outdoor signs that may be proposed will require a separate zoning permit. **(Affirmative finding as conditioned)**

(10) Mitigation measures;

As proposed, the proposed performing arts center is not expected to result in impacts warranting mitigation measures. No outdoor performance space is proposed. The performing arts center will be subject to the city's Noise Control Ordinance. **(Affirmative finding as conditioned)**

(11) Time limits for construction;

No construction schedule is needed for this proposal. **(Affirmative finding)**

(12) Hours of operation and construction;

The performing arts center is proposed to in operation seven days per week: 9:00 AM – 11:00 PM, Sunday, Monday and Tuesday; 9:00 AM – 12:00 AM Wednesday; 9:00 AM – 1:00 AM Thursday; any 9:00 AM – 2:00 AM Friday and Saturday. Given the property's location and containment of the proposed use within the building, the proposed days and hours of operation are acceptable.

(Affirmative finding)

(13) Future enlargement or alterations;

Any future enlargement or alterations of the performing arts center will require additional permit review per the regulations in effect at that time. **(Affirmative finding as conditioned)**

(14) Performance standards;

Not applicable.

(15) Conditions and safeguards;

See proposed conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.1, Downtown Mixed Use Districts:

(a) Purpose

(2) Downtown District (DT)

The subject property is located in the Downtown Transition (DT) district. This zone borders the primary urban center of Burlington and is intended to provide for a mix of uses while creating a transition between the downtown center and the surrounding residential districts. As noted previously, no site or exterior building changes are proposed. The proposed use will bring new vitality to a long-vacant space on the edge of Burlington's downtown. **(Affirmative finding)**

(b) Dimensional Standards & Density

Not applicable.

(c) Permitted & Conditional Uses

The proposed performing arts center is a conditional use in the DT zone. Note that the overall performing arts center contains a bar space. This bar space is acceptable as part of the overall performing arts center so long as alcohol sales do not exceed 50% of gross sales. A liquor license is required. **(Affirmative finding as conditioned)**

(d) District Specific Regulations

1. Use Restrictions

A. Ground Floor Residential Uses Restricted

Not applicable.

2. Public Trust Restrictions

The subject property is not located within the Public Trust. Not applicable.

3. Facades and Setbacks on Side and Rear Property Lines

Not applicable.

4. Building Height Setbacks

A. Principal View Corridors

Not applicable.

B. Church Street Buildings

Not applicable.

C. Side Street Building Height

Not applicable.

5. Lake Champlain Waterfront Setbacks

Not applicable.

6. Development Bonuses/Additional Allowances

Not applicable.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located within the Downtown Parking District. Within that district, there is no minimum off-street parking requirement for performing arts centers. Patrons will utilize nearby parking garages or on-street parking or will use alternative means of transportation. **(Affirmative finding)**

II. Conditions of Approval

1. This approval is for a performing arts center with a maximum capacity of 300 people or as determined by the Building Inspector and Fire Marshal, whichever is less.
2. All outdoor signs will require a separate zoning permit.
3. If alcohol is to be served, a liquor license must be obtained. The sales of alcohol shall not be such that the use constitutes a bar.
4. The Applicant/Property Owner is responsible for obtaining all necessary permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes as required.
5. Standard permit conditions 1-15.



Conditional Use/Major Impact Application Items

Submitted by: Vermont Comedy Club, LLC, Wed, Nov 19, 2014

Location: 101 Main Street (Armory Building), Burlington, VT

Enclosed: Floor plan, application form & conditional use application fee

Description of Proposed Use: 101 Main Street

Vermont Comedy Club, LLC is proposing a performing arts space in the Armory building at 101 Main Street in Burlington, Vermont.

The lower level will be renovated into a multi-use space to house the following:

- A showroom for comedy, accommodating approximately 150 persons at small cabaret tables; this room will host standup and improv comedy shows five nights per week
- An upscale lounge with a full bar and ticketing area
- A classroom that will offer instruction in comedy to kids, teens and adults
- Other necessary spaces such as kitchen prep area, bathrooms, green room and storage

Days/Hours of Operation

Sunday – 9:00am - 11:00pm

Monday – 9:00am - 11:00pm

Tuesday – 9:00am - 11:00pm

Wednesday – 9:00am - 12:00am

Thursday – 9:00am - 1:00am

Friday – 9:00am - 2:00am

Saturday – 9:00am - 2:00am

Above are our most extended hours, which will happen only when the training center hosts summer and school vacation workshops. More typically, we will hold classes on weekdays in the evenings and on weekends in the morning and afternoon. Our lounge/box office will open at 5:00 pm daily and performances in our showroom will run from 6:00 pm until 30 minutes prior to close.

Number of Employees: 20-25



Traffic Generation and Parking

It is important to note that Vermont Comedy Club will be seen as part of an overall “night out” in downtown Burlington, which may also include dinner and other activities. Many patrons will park in the downtown area (garages, street parking, etc.) and walk to Vermont Comedy Club. Other patrons will include guests of the Hilton Garden Inn (who will have their own parking) and locals (who will walk, bike, etc.). Lastly, guests will be spending an average of two hours in the venue, meaning that most cars that do park nearby will rotate out every few hours.

Daytime (9am-5pm): When the training center is offering workshops for kids and teens (during the summer and other school vacations), cars will be dropping students off, returning 2-4 hours later to pick them up. We expect 10-15 cars dropping students off every 3 hours. Cars that park nearby during these times will be rare.

Weeknights (Sun-Thurs, 6pm-11pm): We expect an average of 50 guests in the building at a time, cycling out every two hours. A small percentage of them will be parking on the street nearby: approximately 15 cars every two hours over a four-hour period.

Weekends (Fri-Sat, 6pm-2am): We expect an average of 100 guests in the building at a time, cycling out every two hours. A small percentage of them will be parking on the street nearby: approximately 30 cars every two hours over a six-hour period.

Please Note: All other items in the “Conditional Use/Major Impact Review Application Checklist” are not applicable, as per our meeting with Erik Hoestra (Redstone) and the Department of Planning and Zoning on Monday, November 17.

Contact Information:

Nathan Hartswick & Natalie Miller
Vermont Comedy Club, LLC
41 Intervale Avenue, Burlington VT 05401
nathan@vtcomedy.com / natalie@vtcomedy.com
(802) 373-4703 / (802) 373-7007

Scott Gustin

From: Nathan Hartswick <nathan@vtcomedy.com>
Sent: Tuesday, December 09, 2014 11:17 AM
To: Scott Gustin
Cc: Natalie Miller
Subject: Re: 101 Main St
Attachments: Armory Lower Level Tenant Plan HGI Burlington 12-03-14 A-1.pdf

Hi Scott!

Thanks for reaching out. We are still in the design process with Steve Kredell, our architect, but here is a summary:

There will be three main spaces, separate from each other: A) the lounge/lobby/ticketing area, B) the showroom [cabaret] area, and C) the classroom/back of house. The figures we've been working with are:

- A) Lounge: 45 max
- B) Showroom: 152 max (seated), 240 max (standing)
- C) Classroom: 15 max

This brings the total occupancy of the space to 300. That being said, the instance of all three spaces being at full capacity simultaneously would be an EXTREME rarity. But we'll have enough bathrooms/fixtures to support that number.

Attached is the most recent draft of the floor plan so you can see what we are thinking. Obviously it is still a work in progress. Do let us know if you have other questions or concerns!

Thank you!

Cheers,
Nathan & Natalie

Nathan Hartswick
Producer, Comic, Founder
Vermont Comedy Club
<http://vermontcomedyclub.com>
802.373.4703
nathan@vtcomedy.com

From: Scott Gustin <SGustin@burlingtonvt.gov>
Date: Monday, December 8, 2014 at 5:14 PM
To: Nathan Hartswick <nathan@vtcomedy.com>
Subject: 101 Main St

Hi Nathan,

Quick question here. Is the total capacity of the proposed performing arts venue 150 guests at a time, or is that just for the cabaret area? If just the cabaret area, what is the total venue capacity?

Scott

Scott Gustin, AICP, CFM
Senior Planner
Dept. of Planning & Zoning
149 Church Street

VERMONT COMEDY CLUB
at THE ARMORY



MAIN STREET
BURLINGTON, VERMONT

McLEOD KREDELL ARCHITECTS
3 FROG HOLLOW ALLEY
MIDDLEBURY, VT 05753
TEL: 802.883.7242
info@mcleodkredell.com

NOT FOR CONSTRUCTION

DECEMBER 5, 2014

CONCEPT DESIGN

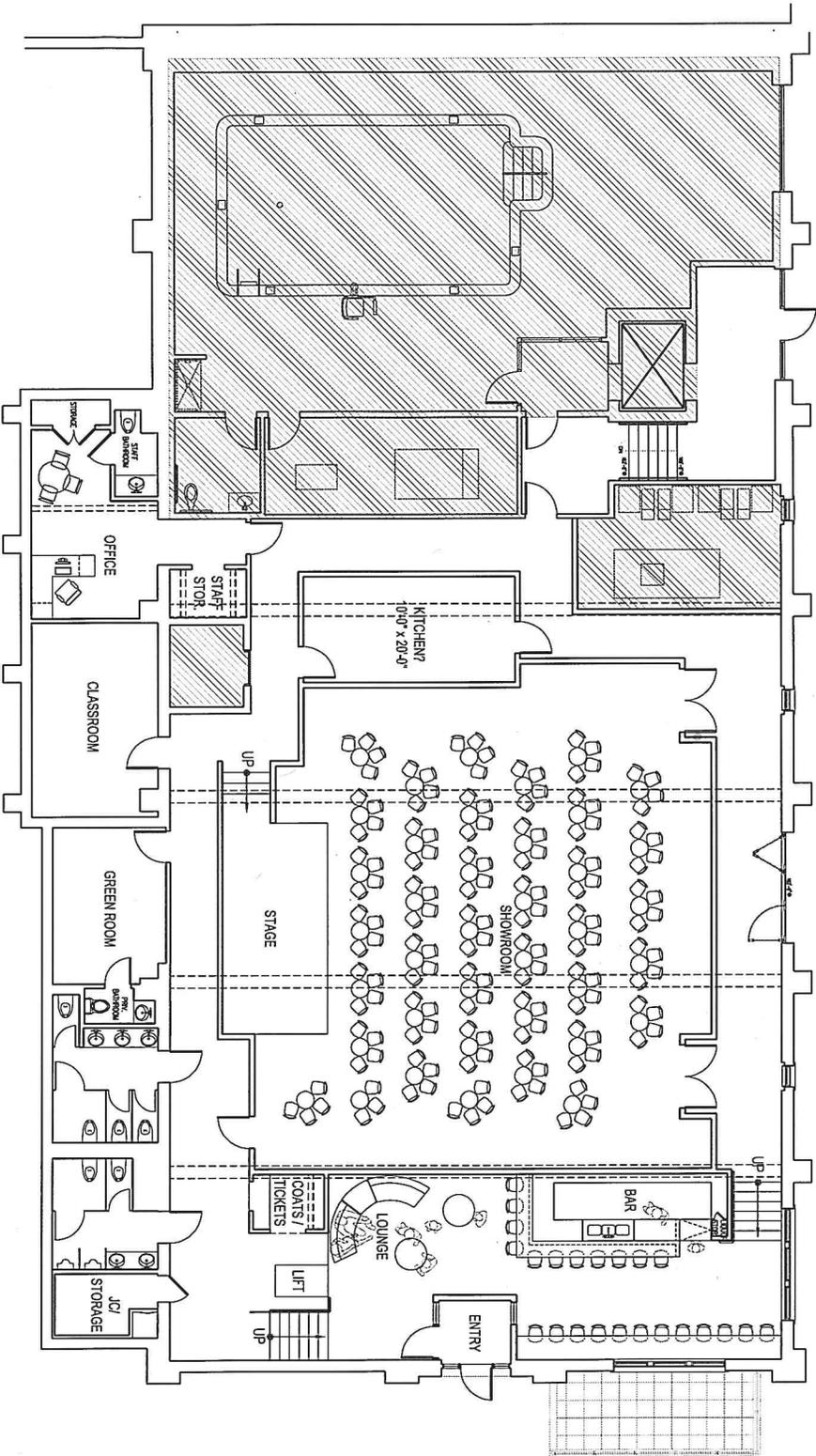
NO.	ISSUE	DATE

PROPOSED FLOOR PLAN

DATE:	DECEMBER 5, 2014
SCALE:	AS NOTED
DRAWN BY:	
CHECKED BY:	

A-1.0

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1 PROPOSED FLOOR PLAN

SCALE: 3/32" = 1'-0"



RECEIVED
DEC - 9 2014

DEPARTMENT OF
PLANNING & ZONING

99 Main St
Burlington, Vermont
Street View - Apr 2012

