

## Department of Planning and Zoning

149 Church Street  
Burlington, VT 05401  
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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 *SD*  
**DATE:** April 15, 2014  
**RE:** 14-0824CU; 1127 North Avenue

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**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: NAC Ward: 4

Owner/Representative: Hauke Building Supply, Inc.

**Request:** Conditional use for small recycling center (bottle redemption) with a change from a Dollar Store to a VT State Liquor Store.

### **Applicable Regulations:**

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

### **Background Information:**

The applicant is seeking approval to establish a small recycling center (for bottle redemption) along with a VT State Liquor Store inside an existing building at the Ethan Allen Shopping Center. No site changes or exterior building changes are proposed. The small recycling center is a conditional use. The liquor store is a permitted general retail use, the same category as the Dollar Store under *Appendix A – Use Table* of the Comprehensive Development Ordinance.

The subject property has a long permit history mostly related to tenant changes and signs within the shopping center.

**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:***

##### ***Sec. 3.5.6, Review Criteria***

##### **(a) Conditional Use Review Standards**

##### ***1. The capacity of existing or planned community facilities;***

The small recycling center is unlikely to strain the capacity of any existing or planned community facilities. The change in use may require a State Wastewater permit. **(Affirmative finding as conditioned)**

*2. The character of the area affected;*

The shopping center is located in the Neighborhood Activity Center district. This zone is intended to provide convenient neighborhood and citywide oriented goods and services and employment opportunities within walking or biking distance of many of the city's residential areas. The proposed recycling center will provide a location for area residents to recycle their empty bottles and cans and is consistent with the overall intent of this zoning district. **(Affirmative finding)**

*3. Traffic on roads and highways in the vicinity;*

The recycling center is small at just 1,000 sf and is limited to the redemption of bottles and cans. Limited traffic is anticipated. The applicant estimates 35-40 vehicles per day will visit the recycling center. The use is not expected to have any significant impact on the overall amount of traffic generated by the shopping center as a whole. **(Affirmative finding)**

*4. Bylaws then in effect;*

As conditioned, the project is in compliance with all applicable bylaws. **(Affirmative finding)**

*5. Utilization of renewable energy resources;*

The utilization of alternative energy has not been incorporated into this proposal; however, the use will not preclude future utilization. **(Affirmative finding)**

*6. Cumulative impacts of the proposed use;*

No significant cumulative impacts are anticipated as a result of the small recycling center. **(Affirmative finding)**

*7. Functional family;*

This criterion does not apply to the subject permit request.

*8. Vehicular access points;*

No changes to vehicular access to the shopping center are proposed or warranted as result of the requested change in use. **(Affirmative finding)**

*9. Signs;*

No signs are included in this proposal. Any signs will require zoning sign permits. **(Affirmative finding as conditioned)**

*10. Mitigation measures;*

The proposed small recycling center is not expected to generate any noxious effects such as excessive noise, glare, or emissions. **(Affirmative finding)**

*11. Time limits for construction;*

The change in use is expected to be completed within the standard 2-year time frame. **(Affirmative finding)**

*12. Hours of operation and construction;*

The proposed hours of operation for the small recycling center are Monday – Friday 9:00 AM – 5:00 PM and Sunday 10:00 AM – 3:00 PM. These hours are within the typical hours for commercial uses at the shopping center and are acceptable. **(Affirmative finding as conditioned)**

*13. Future enlargement or alterations;*

As with anything else, any future enlargement or alteration to the development will require zoning review under the regulations in effect at that time.

*14. Performance standards;*

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

*15. Conditions and safeguards;*

Approval of this project will be conditioned to implement the purposes of the zoning regulations.  
**(Affirmative finding)**

**Article 4: Maps & Districts**

***Sec. 4.4.2, Neighborhood Mixed Use Districts:***

***(a) Purpose***

***(1) Neighborhood Activity Centers (NAC)***

The subject property is located in the Neighborhood Activity Centers District. As noted previously, the zone is intended to provide convenient neighborhood and citywide oriented goods and services and employment opportunities within walking or biking distance of many of the city's residential areas. The proposed small recycling center is consistent with this purpose.

**(Affirmative finding)**

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

Not applicable.

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

There is no change in use for the liquor store. It remains general retail and is permitted. The small recycling center is a conditional use. **(Affirmative Finding)**

***(d) District Specific Regulations***

Not applicable.

**Article 5: Citywide General Regulations**

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

See Sec. 4.4.2 (b) above.

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

This criterion does not apply to properties in the NAC zone.

***Sec. 5.2.5, Setbacks***

See Sec. 4.4.2 (b) above.

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

See Sec. 4.4.2 (b) above.

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

See Sec. 4.4.2 (b) above.

***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***

None proposed. Not applicable.

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

No increase in lot coverage or earth disturbance. Not applicable.

**Article 8: Parking**

***Sec. 8.1.8, Minimum Off-Street Parking Requirements***

Except for the 1,000 sf recycling center, the existing general retail space will remain general retail with no change in parking requirements. The 2-space parking requirement for the 1,000 sf general retail space to be converted will drop to 0 required parking spaces for the small recycling center per Table 8.1.8-1, *Minimum Off-Street Parking Requirements*. **(Affirmative finding)**

***Sec. 8.2.5, Bicycle Parking Requirements***

No new bicycle parking is required for the proposed small recycling center per Sec. 8.2.3, *Existing Structures*. **(Affirmative finding)**

**II. Conditions of Approval**

1. Days and hours of operation shall be limited to Monday – Saturday, 9:00 AM – 5:00 PM and Sunday, 10:00 AM – 3:00 PM.
2. All exterior signs shall require a separate sign permit.
3. A State of Vermont wastewater permit may be required.
4. Standard permit conditions 1-15.

RECEIVED

MAR 18 2014

DEPARTMENT OF  
PLANNING & ZONING

*Beverage store  
proposed location*



RECEIVED

MAR 18 2014

DEPARTMENT OF  
PLANNING & ZONING

Bottle  
Redemption  
Rear Entry



## Scott Gustin

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**From:** David Hauke <dhoukevt@comcast.net>  
**Sent:** Tuesday, April 01, 2014 3:31 PM  
**To:** Scott Gustin  
**Subject:** RE: bottle redemption

Hi Scott,

The hours of operation are Monday-Saturday 9-5 and Sunday 10-3. Anticipated traffic is 35-40 cars per day. 2-4 employees, usually 2 working at a time. Please let me know if you need any additional information.

Thanks,  
David

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**From:** Scott Gustin [mailto:SGustin@burlingtonvt.gov]  
**Sent:** Monday, March 31, 2014 2:04 PM  
**To:** 'David Hauke'  
**Subject:** bottle redemption

Hi David,

I'm looking over your bottle redemption permit application. As it's a conditional use, you need to note what the days & hours of operation are, anticipated daily traffic, and the number of employees. Please send this info along to me by this coming Friday 4/4.

Let me know if you have any questions.

Scott

Scott Gustin, AICP, CFM  
Senior Planner  
Department of Planning & Zoning  
149 Church Street  
Burlington, VT 05401  
Phone: (802) 865-7189  
Fax: (802) 865-7195

*\*\* Please note that any response or reply to this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act*

CITY OF BURLINGTON DPW  
 PAVED + RES. CURB  
 045 FINE STREET  
 BURLINGTON VT 05401

J. CLARKE + D. BLON  
 74 LEONARD STREET  
 BURLINGTON VT 05408

A. DILLON  
 68 LEONARD STREET  
 BURLINGTON VT 05408

S. DEVOID  
 62 LEONARD STREET  
 BURLINGTON VT 05408

D. LAKE  
 58 LEONARD STREET  
 BURLINGTON VT 05408

S. SULEKOWSKI  
 50 LEONARD STREET  
 BURLINGTON VT 05408

D. A. POPE  
 44 LEONARD STREET  
 BURLINGTON VT 05408

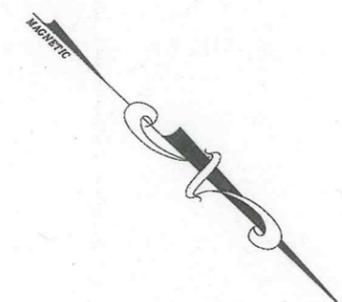
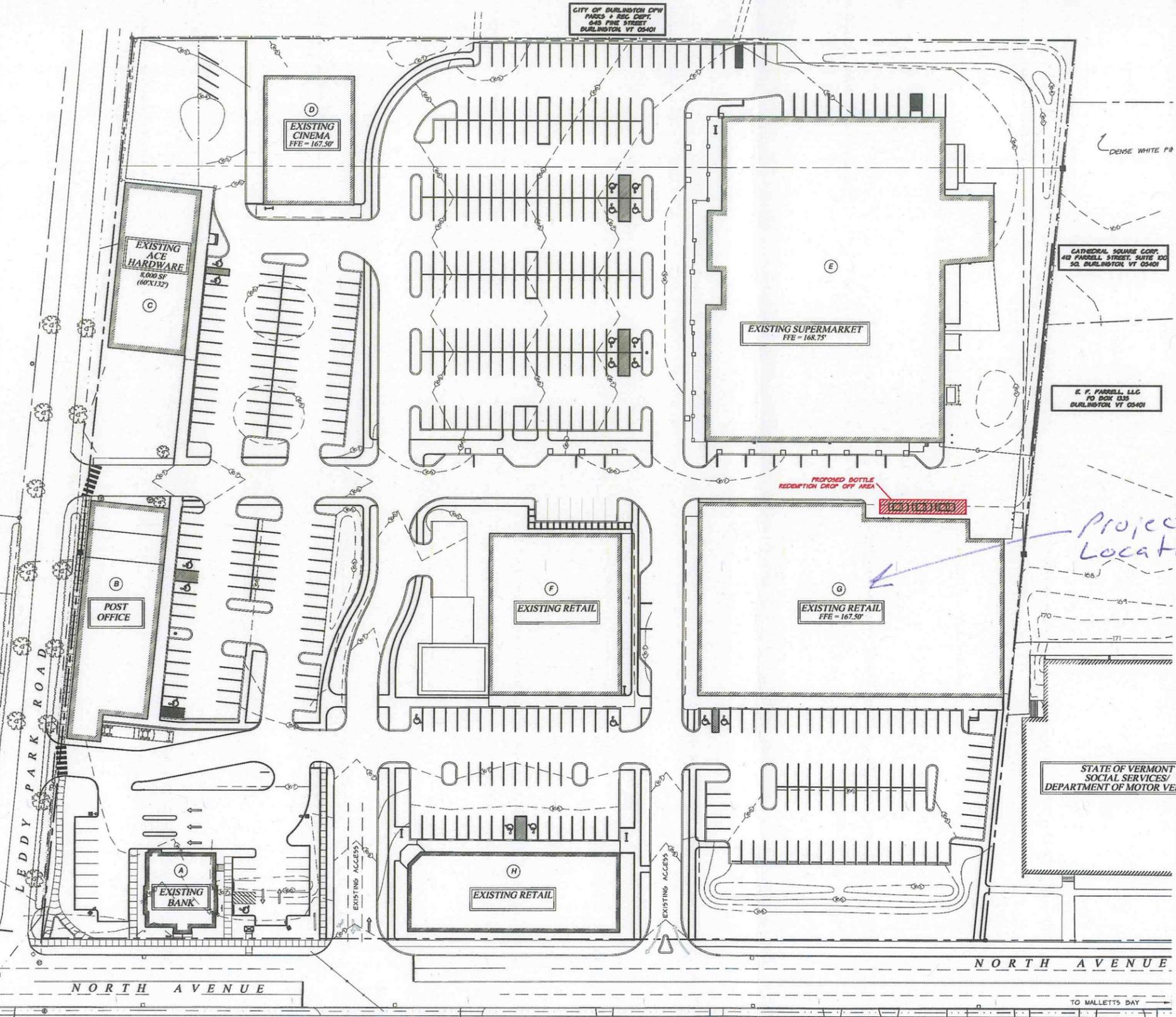
J. GOTE  
 38 LEONARD STREET  
 BURLINGTON VT 05408

F. + D. BUKANIC  
 32 LEONARD STREET  
 BURLINGTON VT 05408

A. ONEIL + J. GRODIN  
 26 LEONARD STREET  
 BURLINGTON VT 05408

C. + L. NEWSOME  
 18 LEONARD STREET  
 BURLINGTON VT 05408

P. M. WU  
 124 NORTH AVENUE  
 BURLINGTON VT 05408



LEGEND

- PROJECT PROPERTY LINE
- ADJUTING PROPERTY LINE
- CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- EXISTING GRADE CONTOURS
- FINISH GRADE CONTOURS
- CHAIN LINKED FENCE
- GUARDRAIL
- OVERHEAD WIRE
- EXIST. GAS LINE AND METER
- EXIST. WATER LINE AND VALVE
- EXIST. SEWER LINE AND MANHOLE
- EXIST. STORMDRAIN AND CATCHBASIN
- NEW LIGHT POLE
- UTILITY OR TRAFFIC POLE AND GUY WIRE
- EXISTING TRAFFIC OR DIRECTIONAL SIGN
- ELECTRIC PAD LOCATION
- BIKE RACK
- X168.75 SPOT GRADE

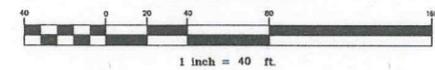
Project Location

PROJECT STATISTICS

BUILDING A	EXISTING 3,325 SF KEY BANK
BUILDING B	EXISTING 10,600 SF COMMERCIAL (POST OFFICE, OFFICE SPACE)
BUILDING C	EXISTING 8,000 SF COMMERCIAL (RETAIL SPACE)
BUILDING D	EXISTING 7,000 SF COMMERCIAL (RETAIL SPACE)
BUILDING E	EXISTING 47,800 SF COMMERCIAL (SUPERMARKET)
BUILDING F	EXISTING 12,950 SF COMMERCIAL (RETAIL, OFFICE, RESTAURANT, LAUNDROMAT, HAIRDRESSER)
BUILDING G	EXISTING 34,000 SF COMMERCIAL (RETAIL, OFFICE, FITNESS, HAIRDRESSER)
BUILDING H	EXISTING 10,200 SF COMMERCIAL (RETAIL, RESTAURANT, OFFICE)
AREA - 512,120 SF	
EXISTING LOT COVERAGE - 404,048 SF (78.9 %)	
PROPOSED LOT COVERAGE - 404,048 SF (78.9 %)	
EXISTING NUMBER OF PARKING SPACES - 457	
PROPOSED NUMBER OF PARKING SPACES - 470	

STATE OF VERMONT  
 SOCIAL SERVICES/  
 DEPARTMENT OF MOTOR VEHICLES

GRAPHIC SCALE



SANDRA PARSONSON  
 100 NORTH AVENUE  
 BURLINGTON VT 05408

FLAN LAM PROPERTIES, LLC  
 100 NORTH AVENUE  
 BURLINGTON VT 05408

JOHN MICHAEL  
 100 NORTH AVENUE  
 BURLINGTON VT 05408

ALIX, LLC  
 617 BEAVER CREEK ROAD  
 WHEATBORO VT 05499

K. MAUTEN + G. PFAH  
 148 NORTH AVENUE  
 BURLINGTON VT 05408

K. MAUTEN + G. PFAH  
 148 NORTH AVENUE  
 BURLINGTON VT 05408

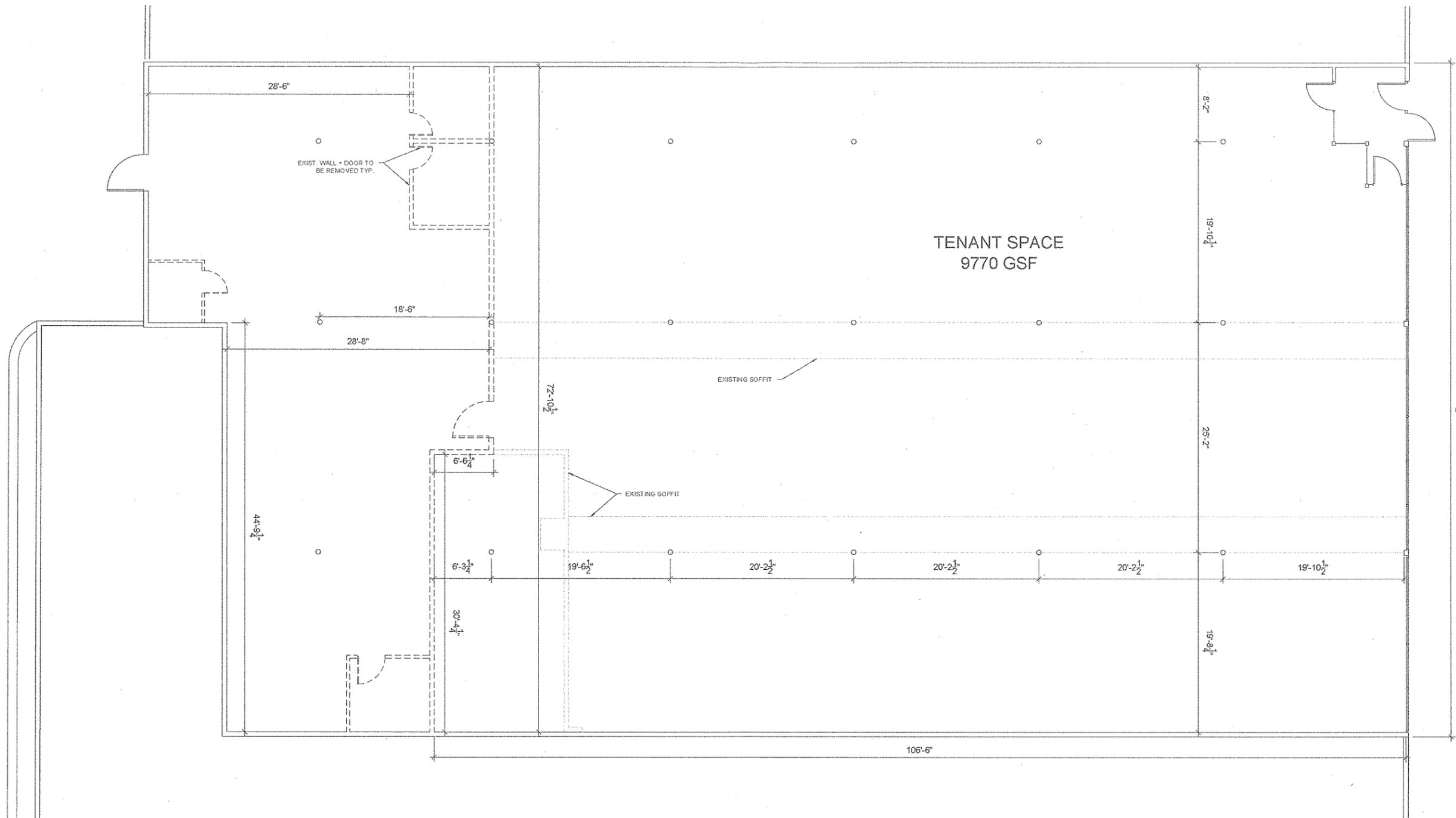
BP ENERGY SERVICES, LLC  
 127 WOODS AVENUE  
 ESSEX VT 05449

G. M. THACKARA  
 100 NORTH AVENUE  
 BURLINGTON VT 05408

D. J. CARP  
 100 NORTH AVENUE  
 BURLINGTON VT 05408



DATE: 03-17-12	REVISION: ADDED BOTTLE DROP OFF AREA	BY: ELP
SURVEY: 03-01-12	REVISION: UPDATED ADJUTING INFORMATION	DATE: 08-13-12
DESIGN: [ ] RECORD DRAWING [ ] PRELIMINARY		JOB: 2011-82
OTHERS: [ ] FINAL [ ] SKETCH/CONCEPT		FEEL: 2011-82
DRAWN: [ ]		PLAN SHEET #
CHECKED: P.J.O.		
SCALE: 1"=40'		
<b>O'LEARY-BURKE CIVIL ASSOCIATES, PLC</b> 1 CORPORATE DRIVE, SUITE 1 ESSEX, VT 05449 PHONE: 873-8880 FAX: 873-8889 EMAIL: OLEARY@OLEARYBURKE.COM		<b>ETHAN ALLEN SHOPPING CENTER</b> NORTH AVENUE - BURLINGTON <b>OVERALL PLAN</b> <b>1</b>



1 EXISTING FLOOR PLAN  
 SCALE: 3/16" = 1'-0" (ON 24x36 PRINT)

**SCOTT + PARTNERS**  
 ARCHITECTURE

20 MAIN ST., ESSEX JUNCTION, VT. 05452  
 P. 802.875.5153 | F. 802.872.2764 | SCOTTPARTNERS.COM

Project name:  
**HAUKE DEVELOPMENT  
 NORTH AVE. PLAZA**

scale: AS NOTED  
 project no. 13-950  
 checked by: JA  
 drawn by: EA  
 date: 6/13/2013

date	revisions

sheet title:  
**EXISTING  
 YANKEE DOLLAR**

sheet no.  
**A1.1**