

Department of Planning and Zoning

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MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: July 5, 2018

RE: ZP18-1406CA 1 Industrial Parkway, and ZP18-1407CA; 15 Industrial Parkway

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.

Project Number: ZP18-1406CA (1 Industrial Parkway) and ZP18-1407CA, 15 Industrial Parkway.

Zone: ELM **Ward:** 5S

Date application accepted: May 14, 2018

Applicant/ Owner: . VHB, on behalf of CCTA / Green Mt. Transit

Request: Construction of a 5,118 sq. ft. access ramp between 1 and 15 Industrial Parkway; full depth reconstruction of existing parking lot and driveway apron at 1 Industrial Parkway with additional site lighting. Construction of dry swale with underdrain with overflow discharging by controlled outlet structure and stabilized outfall.

Background:

1 Industrial Parkway

- **Non-Applicability of Zoning Permit Requirements 17-0435NA;** create call center and service room at 1 Industrial Parkway and Dispatch Center at 15 Industrial Parkway. Interior remodeling. October 2016.
- **Non-Applicability of Zoning Permit Requirements 17-0074NA,** One-day auction. July 2016.
- **Zoning Permit 06-855CA;** Provide 7 parking spots for trailer trucks on existing parking lot. Parking to be used for vehicles not associated with the onsite business. Use constitutes a private parking lot. No site of building changes proposed. July 2006.
- **Zoning Permit 03-472;** Amend COA 00-033 and 033A to allow storage for four trucks, four trailers with no excavation or landscaping. Denied without prejudice April 2003. [Appealed to VEC. Project 00-033 and 033A was not constructed.]
- **Zoning Permit 03-415 / COA 00-033;** time extension of MA2000-012 and COA 00-033 for the construction of a commercial building. April 2003. [Permit expired. Construction did not commence.]

- **Zoning Permit 03-294**; Change in use from CO2 subcontractor to Salvation Army warehouse/sorting with up to 25% retail. January 2003.
- **Zoning Permit 03-256**; Install an aluminum parallel business sign above center garage door. December 2002.
- **Zoning Permit 02-532 / COA 02-063**; Relocate interior gas tank to fenced area in front of existing industrial building. May 2002.
- **Zoning Permit 02-443**; Amend zoning permit 02-326 and COA 00-033A to allow construction of dry cleaning plant in existing Ryan Brothers building. April 2002.
- **Zoning Permit 02-326 / COA 00-033A**; Change of use to allow the establishment of a 6000 sf dry cleaning plant. February 2002.
- **MA2000-012**; Review curb cut width and access for all vehicle traffic; consolidated building per Planning Commission's Request; truck parking on site; location of storage area per Planning Commission's request. Reason for appearance associated with Judge's decision of 6.22.2000. Approved 8.31.2000. [Building expansion never constructed.]
- **Zoning Permit 98-369**; Change of use from bus terminal to electrical contractor with a warehouse component. Internally illuminated parallel sign to be placed at office entrance. March 1998.
- **Zoning Permit 97-036**; Two-year extension for the installation of the temporary trailer per the conditions of approval dated 9.5.1995. July 1996.
- **Zoning Permit 96-122**; One-year extension for the installation of the temporary trailer as per the original conditions of approval dated 4.14.1994. September 1995.
- **Zoning Permit 95-113 / COA 093-101C**; one-year extension for the installation of the temporary trailer as per the original conditions of approval dated 4.14.1994. September 1994.
- **Zoning Permit 95-139 / COA 093-101D**; Revise size of temporary trailer. September 1994.
- **Zoning Permit 93-454 / 093-101**; 20,136 sf. addition (bus barn, office, repair space and parking) for CCTA. May 1993. [Permit expired.]
- **Zoning Permit 94-363 / COA 093-101B**; installation of a temporary trailer not to exceed six months, placed adjacent to the north wall of the existing facility for expanded office functions. April 1994.
- **Zoning Permit 94-340 / COA 093-101A**; Construct 21,840 sf bus storage, maintenance and administration structure on adjacent parcel to existing CCTA facility. March 1994. [Permit expired.]
- **Zoning Permit 89-474**; replace existing window and entry door. September 1989.
- **Zoning Permit 81-159**; new addition for storage. September 1980.
- **Zoning Permit 78-99**; Construction of a 10,00 sf. pre-engineered building for printing plant and storage. September 1978.

- **Zoning Permit**; CCTA to erect 100' radio antenna tower on the premises. May 1974.
- **Zoning Permit**; CCTA to erect a 60' x 182' garage and 30' x 98' office attached. Pave off street parking area and driveways; install gasoline tank and pump. November 1973.

15 Industrial Parkway

- **Zoning Permit 18-0923CA**; installation of security cameras on exterior of building. May 2018.
- **Non-Applicability of Zoning Permit Requirements 17-0436NA**; create call center and service room at 1 Industrial Parkway and Dispatch Center at 15 Industrial Parkway. Interior remodeling. October 2016.
- **Zoning Permit 14-0789CA**; replace exterior light fixtures and install additional exterior light fixtures with wall and pole mounted LED fixtures. March 2014.
- **Zoning Permit 09-442FC**; install galvanized steel security gate at main driveway/entrance to CCTA. November 2008.
- **Zoning Permit 08-486CA**; install rooftop mechanical unit for painting booth. Associated steel pipe guard at roof edge. January 2008.
- **Zoning Permit 07-828CA**; install chain link fence around above ground storage tank; add guard rail in front of existing tank; install concrete walkway from existing doorway to existing parking lot. July 2007.
- **Zoning Permit 04-557CA**; Building addition to south end of CCTA bus facility for additional bus storage. New landscaping and stormwater work. April 2005.
- **Non-Applicability of Zoning Permit Requirements**; install timber frame bus passenger shelter and walkway on city street ROW. July 2004.
- **Non-Applicability of Zoning Permit Requirements**; install bicycle racks at several locations along the Chittenden County Transportation Authority (CCTA) bus route. Accessory use to CCTA. June 1999.
- **Zoning Permit 00-067**; installation of ground lighting for the existing flag pole and freestanding sign for the bus facility. August 1999.
- **Zoning Permit 99-121**; installation of externally illuminated free standing sign for the existing bus terminal. September 1998.
- **Zoning Permit COA096-075A**; Relocation of the pole mounted transformer to the site in front of the existing CCTA bus barn. Relocating above ground fuel tank at the rear of the site. [Ultimately determined that transformer will be located on pole as originally approved.] 1997.
- **Zoning Permit 97-119 / COA 097-008**; courtesy review of the CCTA bus shelter prototype to be erected throughout the city. September 1996.
- **Zoning Permit 96-400 / COA 096-075**; construction of a bus barn facility and associated site improvements on a vacant lot. March 1996.

Overview: CCTA (Green Mountain Transit) proposes a connecting ramp between the rear parking areas at 1 and 15 Industrial Parkway to provide off-street vehicle circulation between the two existing facilities. The existing parking area on the 1 Industrial Parkway site will be fully reconstructed with new site lighting for both the ramp and the parking area. Stormwater treatment measures are included, and under the review of the Stormwater Engineering program. Because the alteration threshold of 500 sf is exceeded, Administrative Authority under Section 3.2.7 (a) 10. is *not* authorized and DRB review is required.

Recommended motion: Consent approval of both applications, per the following findings and conditions:

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 prior to issuance of a Certificate of Occupancy for this permit. See attached list for guidance on open permits/violations. **Affirmative finding as conditioned.**

Article 4: Zoning Maps and Districts

Sec. 4.4.3 Enterprise Districts

(a)Purpose:

The 2 Enterprise districts as illustrated in Map 4.4.3-1 are described as follows:

*The **Light Manufacturing (E-LM)** district is the primary commercial/industrial center of Burlington, and is intended primarily to accommodate enterprises engaged in the manufacturing, processing, distribution, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment without potential conflicts from interspersed residential uses. Other accessory commercial uses are allowed to support a wide range of services and employment opportunities. This district is intended to ensure that sufficient land area is appropriately designated within the city to provide an adequate and diversified economic base that will facilitate high-density job creation and retention. This district is primarily intended to provide for industrial uses suitable for location in areas of proximity to residential development. Development is intended to respect interspersed historic industrial buildings, and reflect the industrial aesthetic of the district’s past. Parking is intended to be hidden within, behind, or to the side of structures.*

CCTA/ GMT is an existing bus garage/transportation facility; the use and proposed parking lot and vehicular access link is consistent with the intent of the E-LM zoning district. **Affirmative finding.**

Table 4.4.3 -1 Dimensional Standards and Density

Districts	Max. Intensity	Max. Lot Coverage ¹	Minimum Building Setbacks ¹ (feet)			Max. Height ¹
			Front	Side	Rear ³	

	(floor area ratio ¹)					(feet)
Light Manufacturing	2.0 FAR	80%	5 min	0 ²	10% ²	45'
1 Industrial Parkway	No change	44.6 existing 46.87% proposed	65' No change	100' No change	53' required 273' provided	No change
15 Industrial Parkway	No change	51.5% existing 52.37% proposed	5 feet required 54' proposed No change.	11' existing and proposed. No change.	53' required 271' proposed No change.	No change.

1 – Floor area ratio is further described in Art 5. Measurement of and exceptions to coverage, setback, and height standards are found in Art 5. Actual maximum build out potential may be reduced by site plan and architectural design considerations of Art 6.

2 – Structures shall be setback a minimum of 25-feet along any zoning district boundary line that abuts a residential zoning district. Lots of record existing as of September 9, 2015 that are split by enterprise and residential zones are exempt from this district boundary setback.

3 – Percentage of the lot depth.

Affirmative finding.

(c) Permitted and Conditional Uses:

The principal land uses that may be permitted, or conditionally permitted pursuant to the requirements of Article 3, within the Enterprise districts shall be as defined in Appendix A – Use Table.

No change is proposed to the existing uses. Not applicable.

(d) District Specific Regulations:

1. Convenience Stores. Not applicable.

Article 5: General Citywide Regulations

Section 5.2.1 Existing Small Lots

Not applicable.

Section 5.2.2 Required Frontage or Access

Development is proposed on parcels with existing access and frontage on Industrial Parkway.

Affirmative finding.

Section 5.2.3 Lot Coverage Requirements

See Table 4.4.3-1, above.

Section 5.2.4 Buildable Area Calculation

The parcel is not within RCO, WRM, RM, WRL or RL zoning districts. Not applicable.

Section 5.2.5 Setbacks.

See Table 4.4.3-1, above.

Section 5.2.6 Building Height Limits

See Table 4.4.3-1, above.

Section 5.2.7 Density and Intensive of Development Calculations

See Table 4.4.3-1, above.

Part 3: Non-conformities

Not applicable.

Part 4: Special Use Regulations

Not applicable.

Section 5.4.8 Historic Buildings and Sites

Not applicable

Section 5.4.9 Brownfield Remediation

Neither site is listed on Vermont DEC's brownfield or hazardous site map. Not applicable.

Part 5: Performance Standards

Section 5.5.1 Nuisance Regulations

Construction activities will be limited Monday-Friday 7:30 am – 5:30 pm, with no construction on Saturdays or Sundays.

Affirmative finding as conditioned.

Section 5.5.2 Lighting

(f) Outdoor Lighting

1. Parking Lot lighting

A. The maximum mounting height for any fixture shall be 25 feet.

B. The maximum illumination level shall not exceed 4 footcandles at any point.

C. The maximum illumination level shall only be computed for the functional area of the parking lot.

D. The maximum to minimum uniformity ratio shall not exceed 20:1.

E. Illumination levels are encouraged to be reduced by at least 50% within one hour after the end of public business hours.

Mounting height for pole lights is proposed at 20'; acceptable under these standards.

The provided photometric defines two "hot spots" under Fixtures A1 and A2, where footcandle measurements exceed the 4 fc maximum. The applicant shall adjust those fixtures to produce compliant footcandle measurements and ratio per these standards. A revised photometric shall be required. **Affirmative finding as conditioned.**

Section 5.5.3 Stormwater and Erosion Control

Written approval of the EPSC and Stormwater Plan by the Stormwater Engineering team shall be a requirement prior to release of the zoning permit. **Affirmative finding as conditioned.**

Section 5.5.4 Tree Removal

Not applicable.

Article 6: Development Review Standards

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Section 6.2.2 Review Standards

(a) Protection of Important Natural Features

No natural features have been identified in the location of the connector. **Affirmative finding.**

(b) Topographical Alterations

The topography of the site generally slopes from south to north and west to east.

Contours of the proposed topography of the connector have been provided. See Plans C-4.00 and C-5.00, which reflect the changing grades between parcels. **Affirmative finding.**

(c) Protection of Important Public Views

There are no protected or important views from this parcel. Not applicable.

(d) Protection of Important Cultural Resources

There are no identified architectural or archaeological resources at the site.
Not applicable.

(e) Supporting the Use of Renewable Energy Resources

No part of this application precludes the use of wind, water, solar, geothermal or other renewable energy resource. **Affirmative finding.**

(f) Brownfield Sites

None identified. Not applicable.

(g) Provide for Nature's Events

1 Industrial Parkway does not have prior stormwater permit coverage and no existing stormwater management infrastructure. The 15 Industrial parcel has prior permitting for discharge. GMT will be updating that permit with a new application pending acceptance of the methodology outlined in Section 4.0, under review by the Stormwater engineering program.

The project plan includes significant infrastructure to address and improve Stormwater flow and dispersal. Review and approval by the Stormwater engineering program is a requirement of any permit. **Affirmative finding as conditioned.**

(h) Building Location and Orientation

No change to existing buildings. Not applicable.

(i) Vehicular Access

Access will be maintained via the existing entrances off Austin Drive to the north and Industrial Parkway to the east. To facilitate free circulation of vehicles, the connector path is proposed to link existing parking areas. No work shall be executed within the public right-of-way without prior approval of DPW. **Affirmative finding as conditioned.**

(j) Pedestrian Access

There are no public sidewalks along Industrial Parkway nor internal walkways between lots. The purpose of the project is to improve stormwater performance, rehabilitate the parking lot and to facilitate vehicular access between parcels. Not applicable.

(k) Accessibility for the Handicapped

ADA compliance is under the jurisdiction of the building inspector. No h/c parking spaces are illustrated on plan C-3.00. Assuming handicap accessible parking is a requirement for the GMT building at 1 Industrial Parkway, a revised site plan shall be submitted that has those identified handicap parking spaces illustrated. **Affirmative finding as conditioned.**

(l) Parking and Circulation

See 6.2.2. (i) and (k) above. No change is proposed to the number of parking spaces at 1 Industrial Parkway. **Affirmative finding as conditioned.**

(m) Landscaping and Fences

An existing shed and antenna pad on 15 Industrial Parkway will be removed. A guardrail will be installed adjacent to the connector path, with a crushed stone shoulder. See Plans C-3.00 and D-100. Excess existing soil stock will be wasted on site. **Affirmative finding.**

(n) Public Plazas and Open Space

There are no public plazas or required open space as part of this application. Not applicable.

(o) Outdoor Lighting

See Section 5.5.2, above.

(p) Integrate Infrastructure into the design:

Affirmative finding.

Part 3: Architectural Design Standards

Section 6.3.2 Review Standards

Not applicable.

Article 7: Signs

Not applicable.

Article 8: Parking

No building expansion is proposed that would require additional parking. The approved site plan from ZP06-885CA defines 34 parking spaces in the lot and 7 truck parking spaces at 1 Industrial Parkway.

The applicant shall confirm that the new parking lot shall provide minimally the same number of parking spaces as existing. The required number of handicap accessible spaces shall be provided, per the building inspector's ADA review. **Affirmative finding as conditioned.**

II. Conditions of Approval

1. Section 2.7.8, Withhold Permit requires that any open violations on this property be remedied, and any zoning permits issued since July 13, 1989 be closed out prior to issuance of a Certificate of Occupancy for this project. See attached property permit history for further information.

2. Light fixtures shall be adjusted to meet the requirements of Section 5.5.2; particularly maximum footcandle measurements within the parking lot area shall not exceed 4 fc; those on walkways 2 fc. A revised photometric shall be supplied prior to release of the zoning permit to confirm these revisions.
3. Illumination levels are encouraged to be reduced by at least 50% within one hour after the end of public business hours.
4. Written approval of the EPSC and Stormwater Plan by the Stormwater Engineering team shall be a requirement prior to release of the zoning permit.
5. Unless specifically altered by the DRB, construction activities shall be limited to 7:30 am to 5:30 pm, Monday through Friday. There shall be no construction on Saturdays or Sundays.
6. The applicant shall confirm that the new parking lot shall provide the same number of parking spaces as existing.
7. Any changes to the curb cut will require approval (and potentially a curb cut permit) from the Department of Public Works. No work shall be executed within the public right-of-way without prior approval of DPW.
8. A revised site plan shall be submitted identifying the location of handicap parking spaces in the replaced parking lot of 1 Industrial Parkway, per the guidance of the Building Inspector.
9. All development is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.
10. Standard Permit Conditions 1-15.

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