

## Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<https://www.burlingtonvt.gov/DPI/Zoning-Permits>

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## MEMORANDUM

To: Development Review Board  
From: Mary O'Neil, AICP, Principal Planner  
Date: November 8, 2023  
RE: ZP-23-474, 72-76 Elmwood Avenue

**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:** 23-474

**Location:** 72-76 Elmwood Avenue

**Zone:** RM **Ward:** 2C

**Parking District:** Neighborhood

**Date application accepted:** October 4, 2023

**Applicant/ Owner:** Michael Alvanos, JRMA Design Studio / PBGC LLC (Bill Bissonette)

**Request:** Reapplication for expired permit ZP21-509; Build three unit detached residential structure on the site of the former Free Methodist Church. One existing single family residence remains on site. (Planned Unit Development)



## Background:

- **Zoning Permit 21-509;** Build three unit detached residential structure on the site of the former Free Methodist Church. One existing single family residence remains on site. (Planned Unit Development). Approved January 6, 2022. Permit expired.
- **Zoning Permit 20-0702CA;** Demolition of remaining foundation from fire totaled building. February 21, 2020; permit relinquished without action. Foundation remains.
- **Non-Applicability of Zoning Permit Requirements;** rebuilding wheelchair ramp on east side of church (rear entrance); temporary ramp. August 2014.
- **Zoning Permit 85-263;** erect a picket fence, 4' high along the west and south boundaries. Construct storage shed on the east end of the property. June 1985.
- **Zoning Permit 81-596;** demolish a storage shed and rebuild 8' x12' which will replace existing storage shed. July 1981.
- **Zoning Permit 78-730;** Erect a steel storage shed in the rear of the church. May 1978.
- **Zoning Permit 76-419;** Replace front stairs and the sill in the rear of the building, erect a new floor for the porch. October 1975.
- **Zoning Permit n.n.;** erect a 6' x 45' chain link fence on the east and west property lines of 76 Elmwood Avenue and 16 Grant Street. July 1974.

## Overview:

Burlington's Free Methodist Church was largely lost to a fire January 15, 2015. The rectory, a detached single family home on the same site, survived. The parcel has is now proposed for redevelopment; retaining the existing home, and added a detached three unit residential building.

At the DAB meeting 11.9.2021, the application review was tabled with a request for the following:

1. Provide screening for the parking area from the street;
2. Introduce barriers to prevent parking creep onto green space;
3. Introduce some design element to prevent rain and snow slide on north and south elevations;
4. Differentiate the first floor with a change of material, color or plane; and
5. Recommendations included in the staff report.

Revised plans were submitted 11.15.2021.

At the subsequent 11.23.2021 review, the DAB voted unanimously to recommend approval.



The DRB approved the application January 6, 2022. Permit conditions required that the project begin within one year of decision; however the deadline passed without commencement of construction. ZP-21-509 has therefore expired.

**Recommended motion: Certificate of Appropriateness approval,** per the following Findings and Conditions:

**I. Findings**

**Article 3: Applications, Permits and Project Reviews**

**Part 3: Impact Fees**

**Section 3.3.2 Applicability**

*Any new development or additions to existing buildings which result in new dwelling units or in any new nonresidential buildings square footage are subject to impact fees as is any change of use which results in an added impact according to Section 3.3.4.*

**Section 3.3.8 Time and Place of Payment**

*(a) New Buildings*

*Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof.*

By the Assessor’s Property Database, the former Free Methodist Church had a gross area of 2,000 sf, which will be credited towards Impact Fees. The following are Impact Fees as calculated from submitted plans:

Credit for prior gross area of Methodist Church:

SF of Project 2,000

**FY 24: July 1, 2023 - June 30, 2024**

Department	<u>Offices &amp; Other</u>	
	Rate	Fee
Traffic	<b>0.795</b>	1,589.80
Fire	<b>0.234</b>	468.07
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Parks	<b>0.493</b>	985.64
Library	<b>0.000</b>	0.00
Schools	<b>0.000</b>	0.00
<b>Total</b>	1.934	<b>\$ 3,868.31</b>

Proposed new gross area:

Based on three floors, each 28' x 54' (1512 sf per floor)

SF of Project 4,536

**FY 24: July 1, 2023 - June 30, 2024**

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**Difference** **\$ 10,142.82**

Allocation by department:

Enter Total Fee: \$10,142.82

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Schools	1.095	3707.07
<b>Total</b>	2.996	<b>\$10,142.81</b>

**Affirmative finding as conditioned.**

**Part 4: Site Plan and Design Review**

**Section 3.4.2 Applicability**

*(a) Site Plan Review*

*Site Plan review shall be required for the approval of all development subject to the provisions of this ordinance with the exception of single-family dwellings not otherwise subject to the requirements of Design Review.*

*(b) Design Review*

*Design Review shall be required for the approval of all development subject to the provisions of this ordinance within the Design Review Overlay District as defined in Article 4, Section 4.5.1 and any of the following:*

*6. Any development subject to the provisions of Article 11 – Planned Development*

See Articles 6 and 11, below.

**Article 4: Zoning Maps and Districts**

**Section 4.4.5 Residential Districts**

(a) Purpose

The Residential Districts are intended to control development in residential districts in order to create a safe, livable, and pedestrian friendly environment. They are also intended to create an inviting streetscape for residents and visitors. Development that places emphasis on architectural details and form is encouraged, where primary buildings and entrances are oriented to the sidewalk, and historic development patterns are reinforced. Parking shall be placed either behind, within, or to the side of structures as is consistent with the district and/or the neighborhood. Building facades designed for parking shall be secondary to the residential aspect of a structure.

3. The Residential Medium Density (RM) district is intended primarily for medium density residential development in the form of single-family detached dwellings and attached multi-family apartments.

The new triplex is consistent with the purpose of the zoning district; with entrances oriented to the street and parking (in the existing condition) to the side of the structure.

**Affirmative finding.**

(b) Dimensional Standards and Density

Table 4.4.5-2 Base Residential Density

Medium Density (RM)	20 units/acre
72-76 Elmwood Avenue	9718 sf lot size / 43560 = .223 A x 20 = 4 dwelling units permissible.

**Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

RM Zoning District	Max Lot Coverage 40%	Setbacks				Height 35'' max.
		Front: Ave of 2 adjacent lots on both sides +/- 5' (one may be discarded if an outlier)	Side: 10% of lot width or average of side yard setback of 2 adjacent lots on both sides	Rear: 25% of lot depth; in not event less than 20'	Waterfront: N/A	
72-76 Elmwood Avenue	Existing 71.5%; Proposed 70.10%	8.6'; within 5' of neighboring property at 65 Elmwood Avenue (6')	Average of setback on north side based on 68 Elmwood Avenue, 1.5'. 5' proposed. Steps to first floor entries may encroach.	N/A	N/A	Less than 35'. See plan 4-400.

			No change to southerly setback.			
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**Affirmative finding.**

(c) *Permitted and Conditional Uses*

Attached dwellings / multi-family 3 or more is a permitted use in the RM Zoning district.

**Affirmative finding.**

(d) *District Specific Regulations*

1. *Setbacks*

- A. *Encroachment for Residential Driveways* Not applicable
- B. *Encroachment into the Waterfront Setback* Not applicable

2. *Lot Coverage*

A. *Exceptions for Accessory Residential Features*

The site has been non-conforming to lot coverage (>71%). No particular itemization of site features associated with the bonus allowance have been included. The application proposes to reduce the level of non-conformity to lot coverage to 70.10%. **Affirmative finding.**

3. *Accessory Residential Structures, Buildings and Uses*

There is an existing, permitted shed on the east (rear) of the lot. The application proposes an additional structure in which to store bicycles. Both are incidental and subordinate to the principal structures on the site. **Affirmative finding.**

4. *Residential Density*

- A. *Additional unit to Multi-family* Not applicable
- B. *Additions to Existing Residential Structures* Not applicable.
- C. *Residential Occupancy Limits*  
*In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.*  
**Affirmative finding as conditioned.**

5. *Uses*

- A. *Exception for existing Neighborhood Commercial Uses*  
Not applicable.

6. *Residential Development Bonuses*

No bonuses are sought. Not applicable.

**Article 5: Citywide General Regulations**

**Section 5.2.1 Existing Small Lots.**

72-76 Elmwood Avenue is an existing, developed site. **Affirmative finding.**

**Section 5.2.2 Required Frontage or Access**

72-76 Elmwood Avenue has an existing access from a public road. **Affirmative finding.**

**Section 5.2.3 Lot Coverage Requirements**

See Table 4.4.5-3, above.

**Section 5.2.4 Buildable Area Calculation & Steep Slopes Overlay**

The site does not exceed 2 acres. The parcel does not fall within the Steep Slopes Overlay. Not applicable.

**Section 5.2.5 Setbacks**

See Table 4.4.5-3, above.

**Section 5.2.6 Building Height Limits**

See Table 4.4.5-3, above.

**Section 5.2.7 Density and Intensity of Development Calculations**

See Table 4.4.5-2, above.

**Part 3: Non Conformities**

The site is currently non-conforming to setback (north and east) and lot coverage. The application will propose construction meeting the required setbacks on the front (west) and north. Lot coverage will diminish from the existing 71.5% to 70.10%. **Affirmative finding.**

**Section 5.4.8 Historic Buildings and Sites**

Although the former Methodist Church was listed on the Vermont State Register of Historic Resources, its loss due to fire has eliminated any review for historic sensitivity. Not applicable.

**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:*

This site remains unchanged since the 2015 fire. The foundation, which was permitted to be removed has remained and that permit relinquished without exercise. Lot coverage is existing/non-conforming at 71.5%. **Affirmative finding.**

*(b) Topographical Alterations:*

No topographical alterations are noted in the plans. Any retaining wall over 3' in height will require review by the City Engineer. **Affirmative finding as conditioned.**

*(c) Protection of Important Public Views:*

There are no identified important public views from or through this site. **Affirmative finding.**

*(d) Protection of Important Cultural Resources:*

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).*

The 1917 Free Methodist Church was listed on the Vermont State Register of Historic Resources; however since it has been lost, the historic designation no longer applies. The rear structure was not identified in that listing. 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. A solar-ready installation is encouraged but not required. **Affirmative finding.**

*(f) Brownfield Sites:*

This is not an identified Brownfield site on Vermont's Department of Environmental Conservation website. **Affirmative finding.**

*(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.*

All entries are now placed within a modest overhang, assuring a modicum of shelter for residents. An Erosion Prevention and Sediment Control Plan will be required for the site disturbance.

Snow storage areas are identified on Plan C2-01.

**Affirmative finding as conditioned.**

*(h) Building Location and Orientation:*

The new building will shoulder-up to Elmwood Avenue; filling the emptiness left by the loss of the Church. In placement it fills the hole in the streetscape and maintains the development

pattern and rhythm of structures along the street. A principal entrance fronting onto Elmwood Avenue has been introduced consistent with these regulations:

*Principal buildings shall have their main entrance facing and clearly identifiable from the public street.* **Affirmative finding.**

(i) *Vehicular Access:*

Vehicular access will continue as pre-existing, from Elmwood Avenue. The site plan calls for an expanded curb cut. Any change to the existing access will require a curb cut permit from the Department of Public Works. **Affirmative finding as conditioned.**

(j) *Pedestrian Access:*

There is a public sidewalk immediately in front of this parcel. The site plan illustrates a walkway to the entrance areas, under the roof overhang. **Affirmative finding.**

(k) *Accessibility for the Handicapped:*

There is no elevator included in the plan. A single handicap parking space with an access aisle is illustrated. Conformance to ADA standards is under the jurisdiction of the building inspector. **Affirmative finding.**

(l) *Parking and Circulation:*

The site plan illustrates 10 on site parking spaces, including one handicap parking space. There are no longer any minimum parking requirements since the adoption of ZA 22-07. The redevelopment is not large enough to trigger a Transportation Demand Management Plan (TDM.) See Article 8, below. There is sufficient room for cars to back out and re-enter Elmwood Avenue from the parking area.

In the Neighborhood Parking District, 1 long-term bicycle parking space is required for every two bedrooms. For this three unit building with 12 bedrooms, 6 long term bike parking spaces will be needed. A bicycle shed has been included in this revision. **Affirmative finding as conditioned.**

(m) *Landscaping and Fences:*

Existing trees and fencing are shown on the site plan. New arborvitae have been illustrated west of the parking area, which will successfully screen it from public view. Other than grass and an existing fence, no other landscaping is proposed. The Design Advisory Board supported the proposed additional plantings.

A small feature wall is designed for the building entrance, with the street address visible.

**Section 7.1.3** of the Comprehensive Development Ordinance exempts street identification from the sign regulations, providing the numerals are a minimum of 3” and maximum of 10” in height, and the area of the numerals does not exceed two square feet. Walls in excess of 3’ in height require review by the City engineer. (Section 6.2.2. (b)). **Affirmative finding.**

*(n) Public Plazas and Open Space:*

A Planned Unit Development requires that there be identified some open space for tenants to enjoy. **(11.1.5 Approval Requirements), (g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB.**

The site plan defines several areas of green space which may be programmed for seating, light recreation, or gardening by the residents; although the placement of the mechanical pad may hinder the larger of these. **Affirmative finding as conditioned.**

**(o) Outdoor Lighting:**

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

Recessed can lighting is evident under the entrance overhang. Specification sheets and illumination levels have been provided, and are consistent with the residential nature of the project. **Affirmative finding.**

*(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.*

An HVAC pad is identified behind (east) of the proposed triplex. Reference is made to Plan C202 for utilities. The existing gas service runs along the northerly side of the proposed triplex, connecting to the existing single family home.

*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.*

The applicant has defined the existing shed as the intended location of trash/recycling facilities.

*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.*

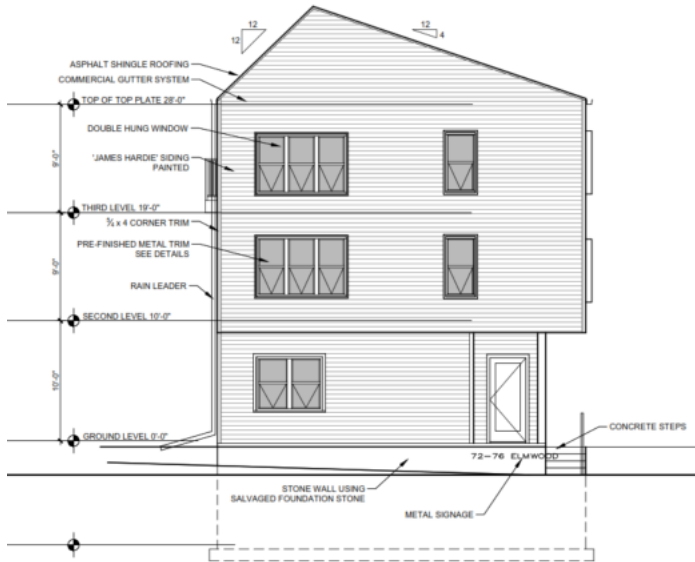
HVAC equipment will be ground mounted on a pad east (behind) the proposed triplex; not visible from the public right-of-way. **Affirmative finding.**

**Part 3: Architectural Design Standards**  
**Sec. 6.3.2 Review Standards**

*(a) Relate development to its environment:*

*1. Massing, Height and Scale:*

72-76 Elmwood Avenue has only one abutting neighbor; 68 Elmwood Avenue. It is a gable-and-eaves front 2 ½ story residential building. Across the street on the corner of Peru Street is a modified Dutch Colonial, and the much grander St. Joseph’s rectory. Although presenting eaves-front to the street, the height and massing of the proposed building is consistent with other structures in the immediate area. **Affirmative finding.**



## 2. Roofs and Rooflines.

The proposed building has a modified cat-slide roof with dual pitch and minimal eave extrusion. Responding to DAB comments, snow guards and rain gutters will be added on the north and south elevations. In style it reads as a modern infill. **Affirmative finding.**



### 3. Building Openings

Fenestration is a mix of triple and double ganged windows and single casements. Sliding doors are noted on the north elevation first floor. **Affirmative finding.**

(b) *Protection of Important Architectural Resources:*

Not applicable.

(c) *Protection of Important Public Views:*

See Section 6.2.2 (c), above.

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

Upon the recommendation of the DAB, a change in plane and color has been introduced between the first and second floor. Windows are stacked, providing a measure of arrangement. The plan is modernistic with a simplified form and measured detailing. The most prominent design component is the angular and asymmetrical roof line, and “framed” window surrounds. Revisions include a differentiated first floor south and west entry, as requested by the Design Advisory Board. **Affirmative finding.**



(e) *Quality of materials:*

*All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.*

Plans include fiber cement siding, with metal frame surrounds on windows and an asphalt shingle roof. All are considered acceptable for new construction. **Affirmative finding.**

*(f) Reduce energy utilization:*

All new construction must 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. **Affirmative finding as conditioned.**

*(g) Make advertising features complementary to the site:*

Not applicable.

*(h) Integrate infrastructure into the building design:*

See Section 6.2.2. (p), above.

*(i) Make spaces secure and safe:*

Development shall observe all applicable building and life safety code as defined by the building inspector and/or fire marshal. Building entrances shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible to maximize personal safety. **Affirmative finding as conditioned.**

### **Article 8: Parking**

72-76 Elmwood Avenue is within the Neighborhood Parking District. With the adoption of ZA-22-07, there are no longer any minimum parking requirements. The site plan provides for 10 parking spaces; 9 in the existing location, and one handicap parking space.

**Affirmative finding.**

### **Section 8.1.9 Maximum On-site Parking Spaces**

#### **Table 8.1.9-1**

*Multi unit attached dwelling units; Neighborhood District: Maximum 3 spaces / unit.*

For the total of four residential units, the maximum parking allowance is 12 spaces. 10 are proposed. **Affirmative finding.**

### **Article 11: Planned Development**

**Section 11.1.3 General Requirements and Applicability** (As adopted by City Council 8.10.2015.)

*Any development involving multiple lots, tracts or parcels of land to be developed as a single entity, or seeking to place multiple structures and/or uses on a single lot where not otherwise permitted, may be permitted as a PUD subject to the provisions of this Article.*

*A Planned Unit Development may be permitted subject to minimum project size as follows in the following districts:*

*Medium Density – no minimum project size. **Affirmative finding.***

### **Section 11.1.4 Modification of Regulations**

*With the approval of the DRB after a public hearing, the following modifications the requirements of the underlying zoning may be altered within a planned unit development:*

- *Density, frontage, lot coverage and setback requirements may be met as calculated across the entire project rather than on an individual lot-by-lot basis.*
- *Required setbacks may apply only to the periphery of the project rather than on an individual lot-by-lot basis;*
- *More than one principal use and **more than one principal structure may be permitted on a single lot, and***
- ***Buildings may be of varied types including single detached, attached, duplex or apartment construction.***

*Any proposed modifications of regulations shall be listed in a statement accompanying the application submission and such modifications shall be subject to the provisions of Section 11.1.5 and Section 11.1.6.*

Calculations for lot area, intensity of use and setbacks have been provided. See Tables 4.4.5-2 and 4.4.5-3. Parking has been calculated for all the units on the single lot. More than one principal structure is proposed within the PUD. Buildings are of varied types, including an existing single family home and apartment construction (triplex). **Affirmative finding.**

#### **Section 11.1.5 Approval Requirements**

*(a) The minimum project size requirements of Section 11.1.3 shall be met;*

There is no minimum project size for a PUD within the Medium Density (RM) zoning district.

*(b) The minimum setbacks required for the district have been met at the periphery of the project;*  
See table 4.4.5-3, above.

*(c) The project shall be subject to design review and site plan review of Article 3, Part 4 and the standards of Article 6.*

See Articles 3 and 6, above.

*(d) The project shall meet the requirements of Article 10 for subdivision review where applicable;*

Not applicable. No subdivision will occur as part of this application.

*(e) Density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;*

See Table 4.4.5-3 (above.) **Affirmative finding.**

*(f) All other requirements of the underlying zoning district have been met as calculated across the entire project;*

See Section 4.4.5, above. **Affirmative finding.**

*(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB;*

There remain at least two areas of green space that may be utilized for common residential space, i.e. gardens, seating, or other modest recreational use. **Affirmative finding.**

*(h) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development.*

The project is not expected to deviate from the standard three year zoning permit period.

**Affirmative finding as conditioned.**

*(i) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests; Sec. 11.1.1, Intent*

*(a) Promote the most appropriate use of land through flexibility of design and development of land;*

The project is street infill post catastrophic fire. The redevelopment of this parcel will provide much needed housing in the downtown, while filling a gap in the street wall. **Affirmative finding.**

*(b) Facilitate the adequate and economical provision of streets and utilities;*

The proposed new structure will be served by existing public utilities and established access to a public way. **Affirmative finding.**

*(c) Preserve the natural and scenic qualities of open space;*

The site is adjacent to a large public cemetery, which provides a park-like expanse of green space. **Affirmative finding.**

*(d) Provide for a variety of housing types;*

The proposed triplex will accompany the existing single family residence on site.

**Affirmative finding.**

*(e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed;*

There are no physical, topographical or geological conditions that hinder redevelopment on this existing parcel. **Affirmative finding.**

And;

*(f) Achieve a high level of design qualities and amenities.*

As proposed, the building design proposes intensifying the density with construction of a three unit residential building. The building is articulated with differentiated building planes; welcoming building entrances, and articulated window trim. Customary residential appurtenances like gardens, play areas, picnic tables or clotheslines are recommended for inclusion, as typical and welcome amenities for attractive residential complexes, particularly within established neighborhoods. **Affirmative finding.**

- (j) *The proposed development shall be consistent with the Municipal Development Plan From plan BTV, Comprehensive Plan:*  
 Section 8.1: *Remove barriers and disincentives to housing production, and encourage infill/redevelopment of underutilized sites.*  
 Section 1.3: *Expand stormwater management measures in new and existing development.*

**Affirmative finding.**

- (k) *Any proposed accessory uses and facilities shall meet the requirements of Section 11.1.6 below.*

**Section 11.1.6 Accessory Facilities**

- (a) *A planned unit development may contain a building or buildings intended for non-residential uses, such as but not limited to a community center, recreation facility, and child care center and/or business office if the DRB determines that such use or uses are compatible with the intended principle residential use.*

No accessory facilities or communities stores are proposed within the PUD. Not applicable.

**II. Conditions of Approval**

- Impact fees shall be paid at least seven days prior to occupancy of the new building or any portion thereof. The following fees, based on the submission materials, are due:

Credit for prior gross area of Methodist Church:

SF of Project 2,000

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2. The occupancy of any dwelling unit is limited to members of a family as defined in Article 13. Not more than four unrelated adults may occupy any unit.
3. Any retaining wall over 3' in height will require review by the City Engineer.
4. **Prior to release of the zoning permit**, an Erosion Prevention and Sediment Control Plan shall be reviewed and approved by the Stormwater program.
5. Any change to the existing access will require a curb cut permit from the Department of Public Works.
6. The Parking area shall have appropriate barriers to prevent vehicular trespass onto greenspace and parking lot creep. Such barriers may be curb stops, landscaping, fencing or similar feature and be anchored to prevent relocation.
7. In the Neighborhood Parking District, 1 long-term bicycle parking space is required for every two bedrooms. For this three unit building with 12 bedrooms, 6 long term bike parking spaces are required. The application proposes a bicycle shed for this purpose.
8. Open space or common land shall be assured and maintained as a condition of approval, per Section 11.1.5 (g).

9. While street number identification does not require a sign permit, numerals are restricted to a minimum of 3” and maximum of 10” in height, and the area of the numerals may not exceed two square feet.
10. Development shall observe all applicable building and life safety code as defined by the building inspector and/or fire marshal. Building entrances shall be visible and adequately lit, and intercom systems for multi-family housing are encouraged where possible to maximize personal safety.
11. All new construction 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.
12. Unless altered by the DRB, hours of construction are limited to M-F 7:00 am to 5:30 pm, with Saturday hours restricted to interior work. No work shall occur on Sundays.
13. A State of Vermont Wastewater Permit is required. It will be the applicant’s responsibility to secure said permit.
14. Written approval shall be received from the Stormwater Engineer for the EPSC/Stormwater plans.
15. **Prior to release of the zoning permit**, a letter of adequate sewer/water capacity shall be secured from Burlington Water Division.
16. Standard Permit Conditions 1-15.

**NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.**