

## Department of Planning and Zoning

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### MEMORANDUM

To: Development Review Board  
From: Mary O'Neil, AICP, Senior Planner  
Date: September 1, 2015  
RE: 111 Colcheser Avenue; ZP16-0188CA

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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.**

**File:** ZP16-0188CA

**Location:** 111 Colchester Avenue

**Zone:** ICC-FAHC **Ward:** 1E

**Date application accepted:** August 9, 2015

**Applicant/ Owner:** Dave Keilty / University of Vermont Medical Center

**Request:** Construction of approximately 950 sq. ft. roof deck addition to Shepardson South building; relocation of existing rooftop airconditioning equipment.

#### **Background:**

There are dozens of permits (both trades and zoning) on file for the medical center. Among the most recent:

- Zoning Permit 16-0249CA; Installation of new exhaust duct riser and rooftop fan and exhaust stack. Currently in review.
- Zoning Permit 15-0411; Install maintenance ladder roughly 8' in height to provide access from a lower roof to the roof above. July 2015.
- Zoning Permit 15-1151; Installation of three rooftop vents. June 2015.
- Zoning Permit 15-0962SN; Install 3 parallel signs at garage entrance for UVM Medical Center. No illumination included. April 2015.
- Zoning Permit 15-0829SN; Replace existing parallel sign with new parallel sign for UVM Health Network. No illumination included. March 2015.

**Overview:** The University of Vermont Medical Center proposes to construct a secure, screened, enclosed three season recreational roof deck addition near the center of its core building complex. It will be constructed immediately adjacent to the Psychiatric Inpatient unit located on the sixth floor of the Shepardson South building. The new addition will require the relocation of an existing rooftop air conditioning unit, which will be placed immediately east of the new enclosure.

**Applicable regulations:** Article 3 (Applications, Permits and Project Review); Article 4 (Zoning Maps and Districts); Article 5 (Citywide General Regulations); Article 6 (Development Review Standards); and Article 8 (Parking.)

This project development is subject to limited municipal review per the following state statute:

**Vermont State Statute, §4413, Limitations on municipal bylaws**

(a) *The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended function use:*

- (1) *State or community owned and operated institutions and facilities.*
- (2) *Public and private schools and other educational institutions certified by the state department of education.*
- (4) *Public and private hospitals.*

**Recommendation:** Consent approval, per the following findings and conditions:

**I. Findings**

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

**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 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.*

The proposed addition of a recreational rooftop patio room does not meet the exemptions of Section 3.3.3; therefore Impact Fees will be assessed for the new nonresidential square footage. As estimated to be 950 sq. ft., the anticipated Impact Fees would be:

**Draft Impact Fees**  
**111 Colchester Avenue**  
**ZP16-0188CA**

SF of Project 950

Department	Offices & Other	
	Rate	Fee
Traffic	0.652	619.40
Fire	0.191	181.45
Police	0.338	321.10
Parks	0.404	383.80
Library	0.000	0.00
Schools	0.000	0.00
<b>Total</b>	<b>\$</b>	

	1.585	1,505.75
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**Section 3.2.7 Time and Place of Payment**

*(b) Existing Buildings: Impact Fees must be paid prior to issuance of a zoning permit, or if a building permit is required, within thirty (30) days of issuance of the building permit.*

**Affirmative finding as conditioned.**

**Part 5: Conditional Use and Major Impact Review** (as amended by City Council 8/10/2015.)

The project does not reach the threshold for Conditional Use or Major Impact Review. Not applicable.

**Article 4: Zoning Maps and Districts**

**Section 4.5.2 Institutional Core Campus Overlay Districts**

**Section 4.5.2 (c) Fletcher Allen Health Care Medical Center Campus (ICC-FAHC)**

*1. Transitional Buffer*

The construction of a rooftop enclosure shall have no impact on the existing transitional buffer.

*2. Lot Coverage*

No change to lot coverage is proposed.

*3. Setbacks*

No change to setbacks is proposed.

*4. Surface Parking*

No change to existing parking; surface or structured is proposed. The addition of a new rooftop enclosure will not require an increase in the number of parking spaces, the calculation of which is based on patient beds.

*5. Building Height*

The proposed semi-enclosed outdoor recreational area will align with the sixth floor balcony of the existing Shepardson South building. The one story addition, on top of the engineering building, will be less than the ACC building, and similar to the existing Shepardson South building. Outside the height overlay, it still continues to comply with height limitations: *No portion of any building outside of the ICC-FAHC Height Overlay may exceed the elevation of a plane running parallel to sea level from the highest point of the tallest structure at the highest elevation within the ICC-FAHC District as depicted as of January 1, 2009.*

*6. Density*

The addition is proposed to serve existing patients in the psychiatric unit. No change in density or intensity is proposed.

**Affirmative finding.**

**Article 5: Citywide General Regulations**

**Section 5.2.3 Lot Coverage**

See Section 4.5.2 (c), above.

**Section 5.2.4 Buildable Area Calculation**

Not within any RCO, WRM, RM, WRL or RL zoning district. Not applicable.

**Section 5.2.5 Setbacks**

See Section 4.5.2 (c), above.

**Section 5.2.6 Building Height Limits**

See Section 4.5.2 (c), above.

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

See Section 4.5.2 (c), above.

**Section 5.4.8 Historic Buildings and Sites**

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**Section 5.4.9 Brownfields**

None identified. Not applicable.

**Part 5: Performance Standards**

**Section 5.5.1 Nuisance Regulations**

No adverse impacts from noise or lighting are anticipated. (Two review criteria allowable under §4413.) **Affirmative finding.**

**Section 5.5.2 Outdoor Lighting**

No exterior lighting fixtures have been identified with this application. Submission materials indicate that “there will be limited energy efficient lighting within the Project. It is anticipated that natural daylighting will be sufficient for most uses during the temperate season the Project serves.”

If exterior lighting is proposed, it will be required to meet the standards and limitations of this section. **Affirmative finding as conditioned.**

**Section 5.5.3 Stormwater and Erosion Control**

Not applicable.

**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**

Not applicable.

**Sec. 6.2.2 Review Standards**

**(a) Protection of Important Natural Features:**

Not applicable.

**(b) Topographical Alterations:**

Not applicable.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(f) Brownfield Sites:**

None identified. Not applicable.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(i) Vehicular Access:**

No change from existing. **Affirmative finding.**

**(j) Pedestrian Access:**

No change from existing. **Affirmative finding.**

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

No change from existing. **Affirmative finding.**

**(l) Parking and Circulation:**

No change from existing. **Affirmative finding.**

**(m) Landscaping and Fences:**

No change from existing. **Affirmative finding.**

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(o) Outdoor Lighting:**

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

**Affirmative finding as conditioned.**

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**Part 3: Architectural Design Standards**

**Sec. 6.3.2 Review Standards**

**(a) Relate development to its environment:**

**1. Massing, Height and Scale:**

See Section 4.5.2 (c). **Affirmative finding.**

**2. Roofs and Rooflines.**

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**3. Building Openings**

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(b) Protection of Important Architectural Resources:**

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(e) Quality of materials:**

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(f) Reduce energy utilization:**

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

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

No signage is included with this application. Not applicable.

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

Exempt from review per Vermont State Statute, §4413, Limitations on municipal bylaws.

**(i) Make spaces secure and safe:**

Development will be required to meet all building and life safety code as defined by the building inspector and fire marshal. **Affirmative finding as conditioned.**

**Article 8: Parking**

Parking is based on the number of patient beds (Table 8.1.8-1, CDO.) The addition of a patient rooftop enclosure is intended to serve *existing* inpatients, and will not increase the number of patient beds or staff. Therefore, there is no change to the number of required parking spaces on-site with this development proposal. **Affirmative finding.**

**II. Conditions of Approval**

1. Impact fees shall be assessed based on the square foot measurement of the new addition as provided by the applicant. As submitted, the estimated Impact Fees are:

**Draft Impact Fees**  
**111 Colchester Avenue**  
**ZP16-0188CA**

SF of Project 950

Department	<u>Offices &amp; Other</u>	
	Rate	Fee
Traffic	0.652	619.40
Fire	0.191	181.45
Police	0.338	321.10
Parks	0.404	383.80
Library	0.000	0.00
Schools	0.000	0.00
<b>Total</b>	1.585	<b>\$ 1,505.75</b>

2. Impact Fees must be paid to the city’s chief administrative officer/city treasurer prior to issuance of a zoning permit, or if a building permit is required, within thirty (30) days of issuance of the building permit.
3. If exterior lighting is proposed, it will be required to meet the standards and limitations of Section 5.5.2 of the Comprehensive Development Ordinance. Fixture information and illumination levels shall be provided to staff for review and approval **prior to release of the zoning permit.**
4. Standard Permit Conditions 1-14.

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