

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone:(802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Joseph Cava, Planning Technician
Ted Miles, Code Compliance Officer
vacant, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: December 20, 2022
RE: ZSP-22-12; 284 Grove 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: RL Ward: 1E

Owner/Applicant: Ireland Grove Street Properties, LLC / Nicholas Smith

Request: Sketch plan review for demolition of 12 single-family modular homes and one 3-unit apartment building and construction of 13 new duplex buildings (total 26 units) along the existing looped driveway.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking), Article 9 (Inclusionary & Replacement Housing), Article 11 (Planned Unit Development)

Background Information:

The applicant is requesting sketch plan review of a proposed Planned Unit Development (PUD) that includes demolition of the existing residences approved as a PUD in the 1990's and replacement with 13 new duplexes. Unit density would approximately double. The existing private drive and other infrastructure would serve the new residences. One of the existing buildings to be demolished is a state-register historic resource and requires review under Sec. 5.4.8 *Historic Buildings and Sites* and conditional use.

The net increase in dwelling units of 5 or more triggers "major impact" review. Inclusionary housing will be provided. A pre-application presentation to the local NPA is necessary.

The Conservation Board reviewed this sketch plan on December 5, 2022 and expressed no concerns. The Design Advisory Board reviewed it December 13, 2022 and recommended retaining the original brick portion of the historic building on the property.

Previous zoning actions for this property:

- 1/9/2005, Approval to construct two decks
- 2/23/1998, Extension of PUD approval
- 4/13/1995, Approval of PUD with 12 single family homes and a triplex.

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

See Sec. 5.2.4 relative to steep slopes and Sec. 5.4.8 relative to historic preservation standards.

(b) Major Impact Review Standards

1. Not result in undue water, air, or noise pollution;

The property is currently developed as a small residential neighborhood. The development footprint will remain largely unchanged; however, the unit count will about double. No undue air, noise, or water pollution impacts are expected. Stormwater management will improve as noted below.

2. Have sufficient water available for its needs;

The property is served by the Champlain Water District with a line coming from the City of South Burlington. The Champlain Water District has confirmed that capacity is available to serve the proposed redevelopment.

3. Not unreasonably burden the city's present or future water supply or distribution system;

The property is not served by Burlington's water supply or distribution system. As noted above, the Champlain Water District serves the property and has available capacity to serve the redevelopment.

4. Not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

An erosion prevention and sediment control plan will be required upon permit application. This plan will be reviewed by the Conservation Board and the Stormwater Administrator.

5. Not cause unreasonable congestion or unsafe conditions on highways, streets, waterways, railways, bikeways, pedestrian pathways or other means of transportation, existing or proposed;

Some basic traffic information has been provided with the sketch plans. Not surprisingly, the increase in dwelling units is projected to increase traffic generation from around 165 trip ends per day to 187 trip ends per day. Trip ends during the AM and PM peak hours are projected to stay virtually unchanged. Impacts on transportation infrastructure are expected to be modest. Payment of impact fees will help offset additional traffic-related impacts.

6. Not cause an unreasonable burden on the city's ability to provide educational services;

The additional residences may host families with school-age children. The modest increase of 11 new dwelling units will not cause an unreasonable burden on the city's ability to provide educational services. Impact fees will help offset what impacts there are.

7. Not place an unreasonable burden on the city's ability to provide municipal services;

The proposed development will generate minimal additional impacts on city services. As noted above, payment of impact fees will help mitigate what additional impacts there are.

8. Not have an undue adverse effect on rare, irreplaceable or significant natural areas, historic or archaeological sites, nor on the scenic or natural beauty of the area or any part of the city;

See Sec. 6.2.2.

9. Not have an undue adverse effect on the city's present or future growth patterns nor on the city's fiscal ability to accommodate such growth, nor on the city's investment in public services and facilities;

The proposed redevelopment will increase residential density on a parcel with the capacity to support it. While not within an identified growth center, the area is zoned residential and allows for greater intensity of development than presently exists, particularly as a planned unit development.

10. Be in substantial conformance with the city's municipal development plan;

Although much remains to be provided in the way of details, the sketch plans depict a development that is consistent with the intent of the district and with the city's housing goals. Conformance with specifics of the municipal development plan will be articulated with the permit application.

11. Not have an undue adverse impact on the present or projected housing needs of the city in terms of amount, type, affordability and location;

The proposed development will not adversely impact the housing needs of the city. In fact, it will result in a net gain of 11 dwelling units. Inclusionary housing units will be provided, and the duplex style homes will add diversity to housing stock in the residential-low density zone.

12. Not have an undue adverse impact on the present or projected park and recreation needs of the city.

Minimal impacts to the city's park and recreation needs are anticipated. Nearby Schmanska Park will likely be utilized by project residents. Payment of impact fees will help offset park impacts.

(c) Conditions of Approval:

In addition to imposing conditions of approval necessary to satisfy the General Standards specified in (a) or (b) above, the DRB may also impose additional conditions of approval relative to any of the following:

1. Mitigation measures, including but not limited to screening, landscaping, where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.

The proposed residential development is not expected to generate offsite noise or glare substantial enough to require mitigation.

2. Time limits for construction.

No construction schedule is included in the sketch plans. The standard time frame is 3 years (1 year to start and 2 more to finish) with one phase. The applicant may wish to include a phasing schedule with the permit application so that individual duplexes may be occupied while others remain under construction.

3. Hours of operation and/or construction to reduce the impacts on surrounding properties.

Hours of operation do not pertain to the proposed residential development.

No days or hours of construction are noted in the sketch plans. Typical days and hours of construction within residential neighborhoods are Monday – Friday from 7:00 AM – 5:00 PM. Saturday construction may be allowed upon request. No work on Sunday. Unless the applicants request different construction days and hours, these typical standards will apply.

4. That any future enlargement or alteration of the use return for review to the DRB to permit the specifying of new conditions; and,

Any future enlargement or alteration will be reviewed under the zoning regulations in effect at that time.

5. Such additional reasonable performance standards, conditions and safeguards, as it may deem necessary to implement the purposes of this chapter and the zoning regulations.

To be addressed in conditions of approval.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(1) Residential Low Density (RL)

The subject property is located in the RL zone. This zone is primarily intended for low density residential development in the form of single family homes and duplexes. Duplexes have long been allowed in the RL zone but were recently made a permitted (rather than conditional) use. As a PUD, the proposed duplexes may be constructed together on a shared property.

(b) Dimensional Standards & Density

The proposed development contains 26 dwelling units on 5.08 acres (4.82 in Burlington and the rest in South Burlington). The sketch plans provide density calculations that account for the wetlands and steep slopes on the property. 0.26 Acre is deducted for wetlands, and 1.61 acres are deducted for steep slopes. Note that the civil plans cite a different overall lot size (7.11 acres). Clarification is needed, although it may be a moot point if buildable area amounts to 2.95 acres in any event. The 26 dwelling units on 2.95 acres is acceptable based on the allowed density of 8.75 units/acre with inclusionary housing in the RL zone.

As inclusionary housing will be provided, lot coverage is limited to 44% of the buildable area. As proposed, lot coverage within the buildable area is 26.5%.

The sketch plans note a front yard setback minimum and maximum of 15' and 25,' respectively. A 20' front yard setback is proposed. Front yard setbacks are based on the average of neighboring properties along the same street. +/- 5.' In this case, the duplexes along Grove Street in Bayberry Commons establish the front yard setback average. They are about 20' from the front property line. Side yard setbacks are 10% of the lot width, up to 20.' Side yard setbacks are well over 20.' The rear yard setback is 25% of the lot depth, up to a maximum of 75.' As proposed, the closest building to the rear property line is about 230' away.

To the midpoint of the gabled roofs, building height is about 25' for the duplexes without attached garages and about 30' for those with attached garages. These heights are below the 35' height limit.

(c) Permitted & Conditional Uses

The proposed duplexes are a permitted use in the RL zone.

(d) District Specific Regulations

1. Setbacks

No setback encroachments are sought.

2. Height

Not applicable in RL.

3. Lot Coverage

No lot coverage exceptions are sought.

4. Accessory Residential Structures and Uses

Accessory structures are limited to the detached garages behind the front row of duplexes. The proposed garages are modest in size and appearance and comply with the applicable standards of this criterion.

5. Residential Density

All of the proposed residential units are subject an occupancy limit of 4 unrelated adults or a family as defined in the CDO.

6. Uses

Not applicable.

7. Residential Development Bonuses

No bonuses are sought. Provision of inclusionary housing brings with it by-right additional allowed density and intensity of development as noted above.

Sec. 4.5.4, Natural Resource Protection Overlay (NR) District

(d) District Specific Regulations: Wetland Conservation Zone

Wetlands are present on the property; however, they are located far away from the proposed development at the bottom of the slope. None of the proposed construction encroaches into the wetland or its 100' wide buffer.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Article 4 above.

Sec. 5.2.4, Buildable Area Calculation & Steep Slopes Overlay District

As noted above, the applicant has accounted for steep slopes' impacts on allowable density and intensity of development. The proposed density relies on 50% inclusion of land with 15% - 30% slopes as allowed upon conditional use approval if the applicant can demonstrate that the additional density will be compatible with the existing scale and intensity of the surrounding neighborhood, and not have an undue negative impact on sensitive natural features. The proposed redevelopment largely fits within the footprint of the existing development. It is of a scale appropriate for this low density residential zone. The onsite natural areas are located far from the development activity and will not be adversely affected by the proposed intensity of development.

Existing and proposed development remains out of the steep slopes; however, it does extend into the 50' wide buffer at the top of the slope and is affected by the Steep Slopes Overlay District. The civil plans will need to reflect this 50' wide top-of-slope buffer. Construction here may be acceptable but requires geotechnical analysis.

Sec. 5.2.5, Setbacks

See Article 4 above.

Sec. 5.2.6, Building Height Limits

See Article 4 above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Article 4 above.

Part 4: Special Use Regulations

Sec. 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

- *To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;*
- *To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;*
- *To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,*
- *To promote the adaptive re-use of historic buildings and sites.*

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

The brick residence at 284 Grove Street has been determined to be eligible for listing on the State of Vermont Historic Sites & Structures Register by the Vermont Division for Historic Preservation and dates to circa 1840. It was renovated into a triplex as part of the 1995 PUD project approval. The applicant seeks to demolish this building as part of this project.

(d) Demolition of Historic Buildings:

The purpose of this subsection is:

- *To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- *Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and,*
- *To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region or state.*

1. Application for Demolition.

For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:

A. A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;

B. A statement addressing compliance with each applicable review standard for demolition;

C. Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addresses:

D. A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites;

and,

E. Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.

An assessment of the historic integrity and significance of the building has been provided. It addresses some, but not all, of the above criteria. A number of alterations have been pointed out as to the rear addition, the windows, and entryway. All of these alterations are reversible. Some problems with exterior cracking of the brickwork has been pointed out as well. Permit application must include information to address each of the above criteria.

2. Standards for Review of Demolition.

Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:

A. The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure;

or,

B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district;

or,

C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.

And all of the following:

D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;

E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington's architectural history;

and,

F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).

(i) Such a plan shall be compatible with the historical integrity and enhances the architectural character of the immediate area, neighborhood, and district;

(ii) Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and,

(iii) The time between demolition and commencement of new construction generally shall not exceed six (6) months.

This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.

The above-referenced assessment of the building generally makes the case that the building is no longer eligible for inclusion on the Vermont historic register and points to a number of alterations. A determination of ineligibility must come from the Vermont Division for Historic Preservation. Application for demolition will require conditional use review and must contain detailed information to address the above criteria as required.

As moved by the Design Advisory Board, the applicant is encouraged to retain this building as part of the proposed redevelopment. The "historic building rehabilitation bonus" in subsection (e) of 5.4.8 allows for additional density beyond that otherwise possible under the district standards, even when accounting for inclusionary housing. A number of "micro" units could be created within the building and possible 25% addition without affecting the overall residential density limit.

3. Deconstruction: Salvage and Reuse of Historic Building Materials.

The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.

The sketch plans do not contain any information as to these criteria. Such information will be required upon permit application.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion.

Sec. 5.5.3, Stormwater and Erosion Control

Earthwork associated with construction will require review and approval of an erosion prevention and sediment control plan by the city's stormwater program. Likewise, proposed stormwater improvements will require review and approval by the city's stormwater program and Conservation Board.

Article 6: Development Review Standards:

Part 1, Land Division Design Standards

No land division is proposed.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

A wetland buffer extends into the northern portion of the property. All of the proposed development stays outside of this wetland buffer. No important natural features identified in the Open Space Protection Plan will be impacted by this development.

(b) Topographical alterations

The developed portion of the property slopes gently from east to west. To the north, it falls off steeply down an embankment towards the Winooski River. See Sec. 5.2.4 as to steep slopes.

(c) Protection of important public views

There are no identified public view corridors from or through the subject property.

(d) Protection of important cultural resources

See Sec. 5.4.8.

(e) Supporting the use of alternative energy

No part of the application will preclude the use of wind, water, solar, geothermal or other renewable energy resource.

(f) Brownfield sites

The property is not listed as a Brownfield Site.

(g) Provide for nature's events

The proposed redevelopment includes new stormwater management measures not included in the existing development.

Front and rear entries into the new residences are sheltered within open porches or simple roof structures.

Ample room remains available onsite to handle snow storage.

(h) Building location and orientation

Building location and orientation outside of the loop will remain largely as is with new residences facing the private interior road. Within the loop, the new duplexes will be lined up along Grove Street with front entries facing this public way. They will extend and reinforce the streetscape established by the recently completed duplexes at the adjacent Bayberry Commons development. Garages for these front units will be set behind and screened from the public street.

(i) Vehicular access

As the private loop road will be retained, there will be no significant change to existing vehicular access. A new rear drive will serve the front duplexes facing Grove Street.

(j) Pedestrian access

The front entries of each new duplex will be served by a walkway connecting to the sidewalk, both along Grove Street and within the interior loop road. Construction within the public street right-

of-way will require review and approval by the Dept. of Public Works and the City Council for encumbrance. The project plans depict the sidewalks crossing each driveway as required.

(k) Accessibility for the handicapped

The sketch plans do not depict any ADA parking or accessibility features. Whether and to what degree ADA standards pertain to this development will need to be worked out with the Building Inspector prior to construction.

(l) Parking and circulation

Duplexes around the interior loop road will have attached garages and will be served by private driveways. Those duplexes facing Grove Street will have a shared driveway and parking behind them.

(m) Landscaping, fences, & retaining walls

The sketch plans include details for a number of new street trees, both along Grove Street and along the interior private street. City Arborist approval of the Grove Street trees will be required. No landscaping details around the dwelling units are included in the sketch plans. No fencing or retaining walls are evident in the project plans.

(n) Public plazas and open space

There is no requirement within the ordinance to provide a public plaza. There is opportunity and sufficient space to create a shared open space for residents of the development behind the parking for the front duplexes. The sketch plans note “shared amenities area” but lack details. Such information should be included with the zoning permit application.

(o) Outdoor lighting

No outdoor lighting information is included in the sketch plans. Information including fixture types, location, and illumination levels will be required with the zoning permit application.

(p) Integrate infrastructure into the design

The sketch plans include a trash enclosure at the rear edge of the parking area. Enclosure details are not provided with the sketch plans and must be with the permit application. Details as to mailboxes and mechanical units will also be required upon submission of a permit application.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The proposed duplexes without attached garage appear to match those constructed at the adjacent Bayberry Commons development. The duplexes with attached garages are similar in appearance but obviously larger and contain living space above the garages. All of the buildings are appropriately scaled for this residential area and present a clean and uniform massing to the street, gable ends facing front. Each structure is 2.5 stories.

2. Roofs and Rooflines

The duplexes incorporate gable roofs, a common and acceptable roof form in residential areas.

3. Building Openings

Proposed fenestration is appropriately scaled and symmetrical. It is laid out in a pattern typical of new home construction and appears to be uniform among the duplexes with, and without, attached garages.

(b) Protection of important architectural resources

See Sec. 5.4.8 above.

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

All of the duplexes are oriented toward the street – whether Grove Street or the interior street. Prominent front entries are reinforced by open porches and connect to the sidewalk with individual front walkways. Additional details such as varying materials, corner boards, and gable vents strengthen the duplexes’ street presence and visual interest.

(e) Quality of materials

The duplexes will be clad in vinyl clapboard and shingle siding and composite trim material. Vinyl windows and fiberglass doors will be installed. Roofing will be asphalt shingles. The materials proposed are common for new construction and are of acceptable quality and durability for these buildings.

(f) Reduce energy utilization

The proposed building must comply with the current energy efficiency standards of Burlington and the State of Vermont.

(g) Make advertising features complimentary to the site

No advertising is included in this proposal.

(h) Integrate infrastructure into the building design

No rooftop or other exterior mechanical equipment is included in the project plans. If any building-mounted mechanical equipment is proposed, it must be included in the project plans and screened.

(i) Make spaces safe and secure

The proposed building must comply with the city’s current egress requirements. Building entries will likely be illuminated, but details are needed as noted above.

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the neighborhood parking district. The presently effective Article 8 amendment eliminates minimum parking requirements citywide. As a pending amendment, it may (or may not) change prior to submission of a permit application for this project.

Sec. 8.1.9, Maximum On-Site Parking Spaces

Each duplex has 4 parking spaces (2 for each dwelling unit). The maximum permissible is 3 per unit.

Sec. 8.1.10, Off-Street Loading Requirements

Not applicable.

Sec. 8.1.11, Parking Dimensional Requirements

The proposed parking spaces and circulation aisles are compliant with the standards of Table 8.1.11-1.

Sec. 8.1.12, Shared Parking for Off-Site Use

This criterion enables shared use of the proposed parking by onsite and offsite users. Given the location of the property and the residential use, shared use is unlikely but allowable.

Sec. 8.1.13, Parking for Disabled Persons

No ADA parking spaces are depicted on the sketch plans. If such spaces are required, they must be depicted on application site plans. The applicant is advised to consult with the building inspector as to ADA requirements for this development.

Sec. 8.1.14, Stacked and Tandem Parking Restrictions

Not applicable.

Sec. 8.1.15, (Reserved)

Sec. 8.1.16, Transportation Demand Management

(b) Applicability

As the project is located within the neighborhood parking district and includes more than 10 new dwelling units, it is subject to the standards of this section.

(c) Transportation Demand Management Program

The applicant acknowledges the need for a TDM plan upon permit application. The sketch plans lack TDM details. The TDM requirements presently in effect require a plan that addresses each of the following items.

- a. *Outreach and Education:*
- b. *TDM Strategies:*
- c. *Parking Management:*
- d. *TDM Agreement:*

TDM requirements remain in place for 10 years, as presently proposed in the Article 8 amendment.

Sec. 8.2.5, Bicycle Parking Requirements

The sketch plans lack bike parking details. Required long term bike parking is 1 per 2 bedrooms. The number of bedrooms is not yet known but will need to be specified. Long term bike parking in similar developments is generally included within the dwelling units. Short term bike parking is required at a rate of 1 space per 10 units, with a minimum of 2. Given the net increase of 11 units, 2 short term bike parking spaces will be needed. Application plans will need to include bike parking details.

Article 9: Inclusionary and Replacement Housing

Sec. 9.1.5, Applicability

Each duplex contains two dwelling units. Inclusionary housing is required for buildings of 5 or more dwelling units. As a result, inclusionary housing is not required; however, the applicant may elect to provide it and, in doing so, benefit from the additional development density and intensity allowed for inclusionary housing projects. As presented, the project plans reflect this additional density and intensity of development. Details as to the number and degree of affordability of the inclusionary units will be subject to review and approval by the manager of the city's housing trust fund.

Article 11: Planned Unit Development

Sec. 11.1.6, Approval Requirements

(a) The minimum project side requirements of Sec. 11.1.3 shall be met

The property is more than 2 acres in size. PUD requires at least 2 acres of land within the RL zone.

(b) The minimum setbacks required for the district have been met at the periphery of the project
As noted previously, front, side and rear setbacks are compliant.

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

(d) The project shall meet the requirements of Article 10 for subdivision review were applicable
As no subdivision is included in this proposal, the requirements of Article 10 do not apply.

(e) Density, frontage, and lot coverage requirements of the underlying zoning district shall have been met as calculated across the entire project
See Article 4 above.

(f) All other requirements of the underlying zoning district shall have been met as calculated across the entire project
Addressed in the findings above in Articles 3 – 9.

(g) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB
Most open space on the property is on the steep slopes. There is space within the loop road as noted above that is intended for use by residents. As noted in Sec. 6.2.2 (n) above, additional details for this space will be required upon permit application.

(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.

No phasing plan is included in the sketch plans. The applicant may wish to consider such a plan to allow for occupancy of individual duplexes as they are completed while others remain under construction.

(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 PUD process enables multiple residences to be constructed on this relatively large lot much more efficiently than through a subdivision with each residence on its own lot. Given the residential zoning district and the allowable density and type of development, the project is an appropriate use of this land.

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

The proposed homes will be served, in large part, by existing infrastructure. The loop road will be retained. A new interior drive will provide access to the rear entries of the Grove Street-facing duplexes. PUD allows for more compact development with greater economy of services and utilities than detached homes on individual lots.

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

Open space will remain. Much of it is on steep slopes or at the bottom of those slopes. As noted previously, the wetlands at the bottom of the slope will remain untouched.

(d) Provide for a variety of housing types;

All of the proposed homes are duplexes. Within the context of the RL zone, this development will add diversity to the largely detached single family housing stock. There is opportunity to provide multiple units within the existing historic structure. The applicant is encouraged to consider renovation and reuse of this building.

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

The property does not need to be developed as a PUD; however, as noted above, doing so allows for much greater efficiency and intensity of development than would be possible with a traditional subdivision.

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

The sketch plans provide a general sense of the proposed development. Additional detail will need to be fleshed out upon permit application. There is opportunity here to build a project that incorporates a high level of design quality and amenity as anticipated by this criterion.

(j) The proposed development shall be consistent with the Municipal Development Plan
See Sec. 3.5.6 (b) 10.

(k) Any proposed accessory uses and facilities shall meet the requirements of Sec. 11.1.6 below.
There are no non-residential facilities included in the proposal.

II. Conditions of Approval

Not applicable for sketch plan review.