

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
<http://www.burlingtonvt.gov/PZ/>
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Mary O'Neil, AICP, Senior Planner
Vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Ken Lerner *[Signature]*
Date: February 3, 2015
RE: ZP15-0664LL & ZP15-0665LL (APPEALS);

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: ZP15-0664LL & ZP15-0665LL

Location: 111 Colchester Avenue & 10 University Place, respectively

Zone: Institutional; Core Campus Overlay (UVM & FAHC) **Ward:** 1

Date appeal accepted: January 5, 2015

Date of administrative decision: December 23, 2014

Date of application: December 5, 2014

Owner/Appellant: UVM/Martha Lang

Request: Appeal of Administrative Approval of lot line Adjustments between the subject properties.

As both appeals involve a lot line adjustment between two parcels; the staff comments below address these permits together.

Background/Overview:

Zoning Permit 14-1321CA for the 208,000 sq. ft. Inpatient Building at the Medical Center Campus, including parking lot improvements was approved by the DRB. The lot line adjustment is required as condition of approval #10 for ZP14-1321CA: "A boundary line adjustment will need to be secured to allow for development under this approval. All requirements as noted in Section 10.1.5 for filing a plat/mylar will be in effect."

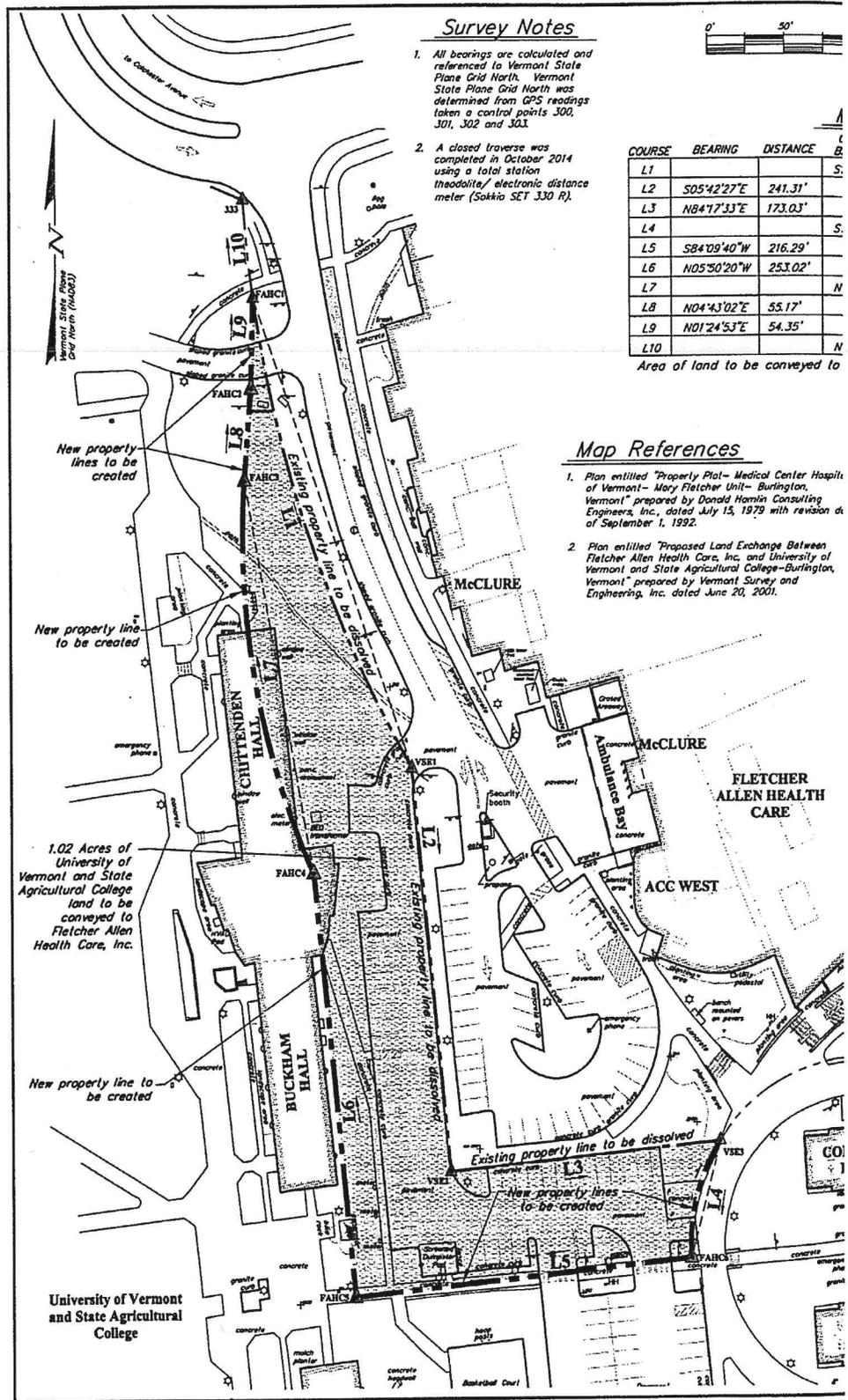
Zoning Permit 14-1320CA for demolition of Chittenden, Buckham, Wills residential complex with redevelopment plans including Green Mountain walkway and associated pedestrian amenities. Construction of a replacement parking area is also included. This proposal is on the UVM portion of the adjusted parcels. Note that this permit currently is under appeal to Superior Court, Environmental Division.

Zoning Permits 15-0664LL & 15-0665LL lot line adjustment requests were each approved with the following conditions:

1. The final lot line adjustment plat, endorsed by the Zoning Administrator, shall be recorded in the office of the chief administrative officer (i.e. Land Records).
2. A copy of the approved lot line adjustment plat shall be filed with the department of planning & zoning after recording in the land records.
3. A deed signed by the owner of the land being conveyed shall be provided and duly recorded in the city land records.
4. This lot line adjustment is proposed to facilitate the development of the Fletcher Allen Health Care addition approved under zoning permit 14-1321CA.
And Standard Permit Conditions.

Appeal

The appellant contends that the proposals are subject to a public hearing before the DRB under Section 3.5.2(a) and (b) Conditional Use and Major Impact Review. Appellant states that the application is related to an Institutional Parking Plan and: there is more than one acre of land disturbed, 50 or more parking spaces are involved and that there are multiple projects by the same owner within a twelve month period. Further, the appellant states that the exceptions under Section 3.5.3 do not apply. See attached letter dated January 5, 2015; note reference in the letter is made to Sec. 3.5.1, however this appears to be a typo as the issues identified are from Sec. 3.5.2.



Recommendation: Deny the appeal and **uphold the administrative approvals** per the following findings:

I. Findings

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.*

The University of Vermont Medical Center (FAHC) and UVM are a hospital and an educational institution, respectively and, therefore, subject to a limited zoning review per 24 VSA §4413, *Limitations on municipal bylaws*. These applications may be reviewed 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. The lot line adjustment is reviewable, not only as it is a condition of approval of a zoning permit as discussed below, but in that it effects setbacks, size (of lots), and the density of buildings (lot coverage). Items related to these issues and parking (due to parking being raised by the appellant) are discussed in the recommended findings. **(Affirmative Finding)**

Sec. 3.2.7 Administrative Review and Approval

Pursuant to the provisions of 24 V.S.A. Section 4464(c), this section provides for the administrative review and approval of new development and amendments to previously approved development

(a) Administrative Authority:

The administrative officer is hereby authorized to undertake the review and approval of all of the following types of applications:

6. Lot Line Adjustment.

In addition, the administrative officer is hereby authorized to undertake the review and approval of certain COA Level II applications subject to the following thresholds and conditions:

11. Compliance with conditions of approval as specified in a written decision of the DRB;

The adopted zoning regulations specifically authorize certain types of applications to be reviewed and acted upon administratively. The subject applications for a lot line adjustment are covered for administrative review under Sec. 3.2.7 (a) 6 and 11. The latter being that the lot line adjustment is required as condition of approval #10 for ZP14-1321CA: “A boundary line adjustment will need to be secured to allow for development under this approval. All requirements as noted in Section 10.1.5 for filing a plat/mylar will be in effect.” In addition, under Sec. 10.1.5 (c), see below, administrative review is provided for lot line adjustments as well. **(Affirmative Finding)**

Sec. 3.5.2 Applicability

(a) Conditional Use Review:

Conditional Use Review shall be required for the approval of all development subject to the following provisions of this ordinance:

- 4. all applications for an Institutional Parking Management Plan pursuant to the provision of Article 8, Part 3;*

The proposed lot line adjustments in and of themselves do not affect or change any parking requirement or demand. While the action is related to other projects, the hospital addition and the demolition of three dorms and associated site improvements, these are projects that have been approved under separate permits by the DRB. The current 2014-2016 Joint Institutional Parking Management Plan (JIPMP) was presented to the DRB on May 6, 2014 and approved on May 19, 2014 and was not appealed. The lot line adjustment is not an application for or pertains to a JIPMP. **(Not Applicable)**

(b) Major Impact Review:

In addition, Major Impact Review shall be required for the approval of all development involving:

- 4. Land disturbance involving one acre or more;*

There is no direct physical disturbance of land implied or approved with the lot line adjustment. It merely changes a boundary line. Any land disturbance is included in the zoning permits as approved and identified in the Background/Overview above. **(Not Applicable)**

- 5. Site improvements involving fifty (50) or more parking spaces;*

There is no change to any parking areas specific to the lot line adjustment. While there is a parking area included within the land being conveyed there are 44 spaces in that area. Thus while there is parking spaces that may be involved, they are below the 50 space limit. Parking improvements were considered and approved under ZP 14-1321CA for the hospital expansion and under ZP14-1320CA for demolition of Chittenden, Buckham, Wills residential complex. **(Not Applicable)**

- 8. Multiple projects by the same applicant or responsible party within any consecutive twelve (12) month period on the same property or on a property within 1000 feet of the subject property that in the aggregate equal or exceed the above criteria.*

This provision is irrelevant as the lot line adjustment is exempt from Major Impact Review as per Sec. 3.5.3 below. **(Not Applicable)**

Regardless as noted above, Sec. 3.2.7 (a) specifically provides for administrative review for a lot line adjustment and for permit condition requirements, both of which are applicable to the subject permits.

Sec. 3.5.3 Exemptions

Major Impact Review shall not apply to applications involving one or more of the following:

- (a) Single-family dwellings; Proposal is not for a SF dwelling.*
- (b) Temporary structures; The proposal does not include a temporary structure.*
- (c) Substantial rehabilitation that does not expand the floor area of an existing building or the structural capacity of existing development; There are no changes or expansion of*

any structures proposed under the lot line adjustment permits themselves.

(Exemption Affirmed)

(d) *Projects that do not result in a change of use or increased parking demand as determined by the administrative officer; There is no expansion or change of use or change in a parking demand that results from these applications. Parking for the associated projects has been addressed under their permits and the approved JIPMP.*

(Exemption Affirmed) and,

(e) *Subsurface site improvements including but not limited to underground utility lines and subsurface drainage ways. There are no subsurface improvements with the lot line applications.*

Any major impact related criteria was addressed in both the UVM and hospital projects. Thus, Exemptions (c) and (d), the lot line adjustment permits would not require Major Impact Review. Lot line adjustments are defined in **Article 13** as follows:

Lot Line Adjustment: The relocation of a common property boundary where an additional lot is not created and where an existing lot reduced in size by the adjustment complies with the dimensional requirements of this ordinance

All that is occurring is the moving of a boundary line between properties. There is no change in use nor is there any resulting increase in parking demand from merely moving a boundary line.

(Exemption Affirmed)

Sec. 10.1.5 Lot Line Adjustments

The intent of this section is to provide for an abbreviated review and approval process for the realignment of lot boundary lines between existing adjacent lots, including the merger of lots, where no additional lots are being created. In addition, a lot line adjustment shall include the addition and subtraction of vestigial alleys, as defined in Article 13, when being combined with an adjacent lot. A lot line adjustment shall not constitute a subdivision.

The proposed lot line adjustment involves moving 1.02 acre of land from one lot owned by UVM (10 University Place) to adjoin it with a lot owned by the hospital (111 Colchester Ave.). Thus, this simple boundary realignment does not result in any new lots being created and therefore does not constitute a subdivision as per Sec. 10.1.5.

As a lot line adjustment certain requirements need to be met and can be administratively approved as per Sec. 10.1.5 (c) and Sec. 3.2.7 (a) as per above:

(c) Lot Line Adjustment – Administrative Decision:

The administrative officer shall have the authority to approve or deny an application for a Lot Line Adjustment as follows:

1. *An application may be denied for good cause based upon substantial evidence including but not limited to:*

A. *Such cases where the proposed adjustment will result in a new lot being created; No new lot is created. (Affirmative Finding)*

- B. *Such cases where the proposed adjustment will result in the creation of a non-conforming parcel or non-conforming buildings or structures or yard areas or any non-conforming dimensional standard; No non-conforming zoning related situation is created despite that a building is severed by the new lot line (Chittenden and Buckham halls). While this structure has been approved for demolition, there is no setback for buildings required within the subject overlay districts. In addition, once the permit for demolition is implemented there would certainly be no non-conformance. (Affirmative Finding) and,*
- C. *Such cases where the proposed adjustment does not adequately address the applicable Land Division Design Standards of Art. 6. Article 6 is not specific to the adjustment but all design standards regarding the dorm demolition and construction of the new inpatient facility have been addressed and considered under their respective approvals. (Affirmative Finding)*

2. *Provided the adjustment does not create a non-conforming parcel, structure or nonconforming yard area or other dimensional non-conformity, or upon the issuance of a variance by the DRB, and upon submission of a plat per subsection (b) above, the administrative officer shall approve the proposal as presented or as modified.*

All appeals of an administrative officer's decision shall be made pursuant to the applicable provisions of Article 12. The appellant has utilized available regulatory appeal rights herein. (Affirmative Finding)

Section 4.5.2 (d) District Specific Regulations:

(c) District Specific Regulations: Fletcher Allen Health Care Medical Center Campus (ICC-FAHC)

2. Lot coverage

Maximum lot coverage shall be applied to the aggregate of all lots owned by a respective institution and located within the ICC-FAHC District. Lot coverage shall not exceed 60% except as provided below.

The maximum lot coverage for the entire tract of land owned by an institution within the ICC-FAHC District may be increased by one percent for each one percent that the Transitional Buffer coverage is less than 40%, up to a maximum of 65%.

Lot coverage after the adjustment results in the aggregate of the core and buffer areas as being 58%; less than the maximum allowed. (Affirmative Finding)

3. Setbacks

Minimum side and rear yard setbacks in the underlying zoning district shall not be applicable within the ICC-FAHC District. (Not Applicable)

(d) District Specific Regulations: UVM Central Campus (ICC-UVM);

2. Lot coverage

Maximum lot coverage shall be applied to the aggregate of all lots owned by the institution and located within the ICC -UVM District. Lot coverage shall not exceed 65% except as provided below.

The maximum lot coverage within the ICC -UVM District may be increased by one percent for each one percent that the Transitional Buffer coverage is less than 40%, up to a maximum of 70%.

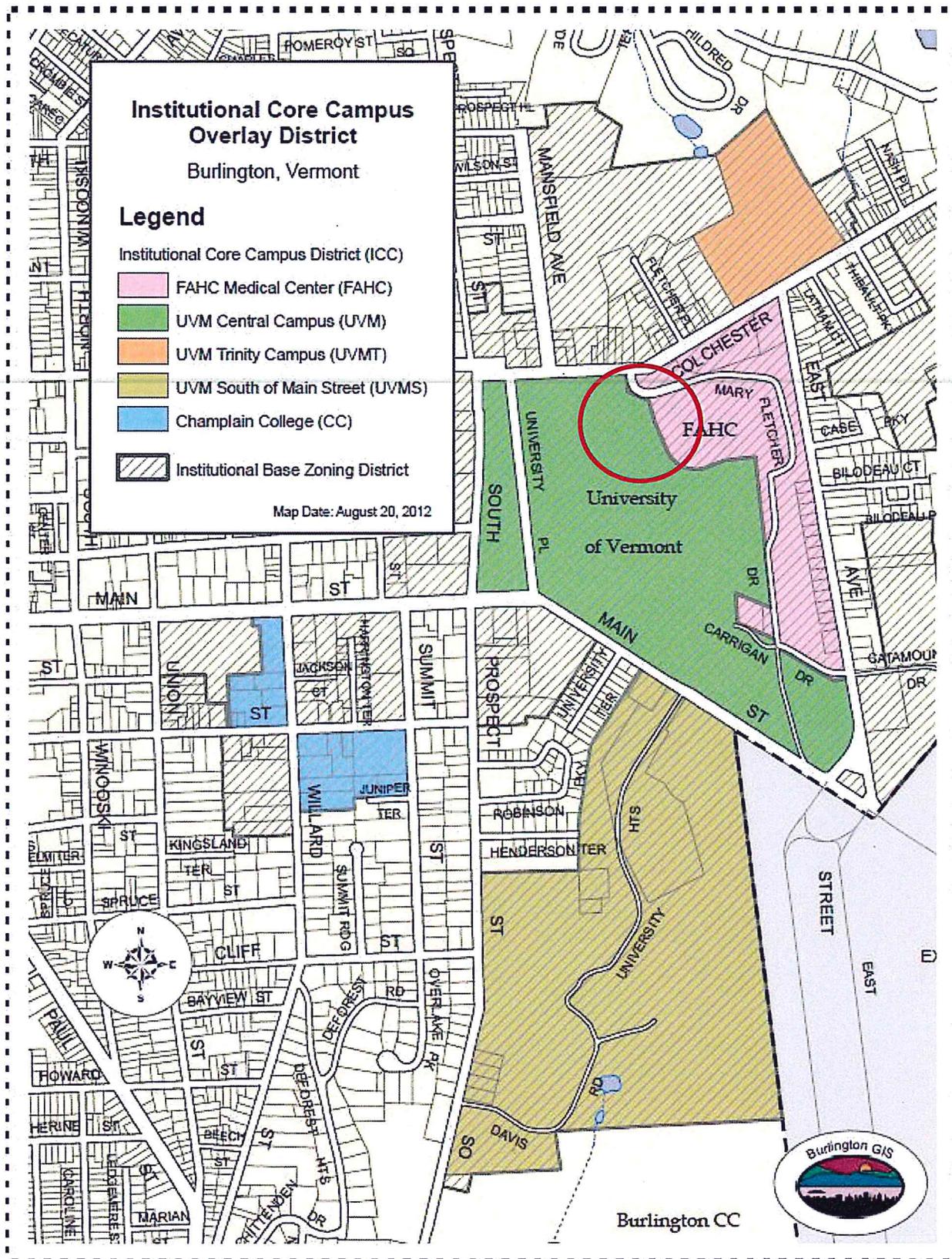
Lot Coverage within the UVM Institutional Core including the land transfer is 48.04% and after the demolition and redevelopment coverage will be 47.56%, below the maximum allowed.

(Affirmative Finding)

3. Setbacks

Minimum side and rear yard setbacks in the underlying zoning district shall not be applicable within the ICC -UVM District. (Not Applicable)

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



(Area of lot line adjustment highlighted within ICC-UVM and ICC-FAHC overlays.)



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA and Major Impact Development – Conditions of Approval

ZP #: 14-1321CA/MA

Tax ID: 046-2-103-000

Issue Date: September 8, 2014

Decision: Approved w/ Pre-Release
Conditions

Property Address: 111 COLCHESTER AVENUE

Description: New Inpatient building west of Ambulatory Care Center with associated parking, lighting and landscaping.

Project Permit Conditions:

1. **Impact Fees**, calculated and based upon new square footage as provided by the application, shall be paid at least seven (7) days prior to occupancy of a new building or any portion thereof. Based upon submission information, the following is an estimate of anticipated Impact Fees:

SF of Project 208,000

Department	<u>Offices & Other</u>	
	Rate	Fee
Traffic	0.641	133,328.00
Fire	0.188	39,104.00
Police	0.333	69,264.00
Parks	0.397	82,576.00
Library	0.000	0.00
Schools	0.000	0.00
Total	1.559	\$ 324,272.00

2. Stormwater Management and Erosion Prevention and Sediment Control Plans shall have the written approval of the city stormwater administrator **prior to release of the zoning permit**. The Stormwater engineer extended this option through an email submitted to staff June 27, 2014.
3. The Board accepts the lighting plan as submitted August 28, 2014, with the condition that lighting under the building will not bleed beyond the footprint of the structure.
4. The applicant will need to demonstrate compliance with the 30% parking lot shading requirement **prior to release of the zoning permit**.
5. City arborist approval of the tree species, caliper and mature canopy surrounding the parking area per Section 6.2.2. (l) will be required **prior to release of the zoning permit**.
6. This project will exceed the typical 2 year time limit provided under Section 3.2.9 (d). of the CDO. The applicant anticipates a fall, 2018 completion date. A phasing schedule, based on reasonable assumptions for project advancement and provided by applicant, is encouraged. If the applicant anticipates sequential use of the building as development progresses, those portions of the projects may be individually phased to allow for separate Certificates of Occupancy to be issued. **A January 1, 2019 permit expiration date is reasonable, and consistent with UVM's companion project.**

7. Bicycle parking for 21 long term spaces and 10 short term spaces will need to be defined **prior to release of the zoning permit.**
8. The Board accepts the dimensions of the parking spaces as provided on submitted plans.
9. *New or substantially improved parking areas with 15 or more parking spaces shall include a minimum of 1 shade tree per 5 parking spaces with a minimum caliper size of 2.5"-3" at planting.* For FAHC's 47 space parking area, 9 new trees meeting the prescribed caliber will be required. The approval of the City arborist will be required for species, caliper, and canopy **prior to release of the zoning permit.**
10. A boundary line adjustment will need to be secured to allow for development under this approval. All requirements as noted in Section 10.1.5 for filing a plat/mylar will be in effect.
11. Any signage will require a separate zoning permit, and be in conformance with Fletcher Allen's Master Sign Plan (ZP05-481CA; 10-0800MP (amendment)).
12. Standard Permit Conditions 1-15.

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.
Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.
2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **September 8, 2015**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **September 8, 2016**, or be subject to enforcement actions.

 These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are tolled by additional state or federal permitting for the project or by an appeal; or c) an extension of time has been granted. An extension of time must be requested in writing PRIOR to the expiration of the permit. If the owner has enacted the permit and it lapses, the owner may be responsible to obtain a new zoning permit, if required, which shall be subject to the current Comprehensive Development Ordinance (CDO).
3. **Unified Certificate of Occupancy (UCO):** It shall be unlawful to use or occupy (or allow the use or occupancy of) any land or structure or part thereof which has been created, changed, converted, or wholly or partly altered or enlarged in its use or structure without a UCO.

If the project is partially completed, meets "prior to issuance of a UCO" conditions of approval, meets all health and safety standards, and all municipal fees for the project are paid, a Temporary Zoning CO may be requested and issued. **Upon completion of the project**, applicant shall request and obtain a Final UCO from the Code Enforcement Office (located at 645 Pine Street). Additional information on how to request and obtain this UCO is available at this office. **Failure to obtain a**

MARTHA R. LANG, PH.D.
138 COLCHESTER AVENUE
BURLINGTON, VERMONT 05401
802-862-1094

RECEIVED
JAN - 5 2015

DEPARTMENT OF
PLANNING & ZONING

January 5, 2015

Department of Planning and Zoning
City Hall
149 Church Street
Burlington, VT 05401

Re: ZP# 15-0664LL 111 Colchester Avenue

To Whom It May Concern:

I want to appeal the Zoning Staff Administrative Decision ZP# 15-0664LL, 111 Colchester Avenue to the Burlington Development Review Board.

I. Description of the decision under appeal:

Lot line adjustment.

II. Description of property subject to appeal:

A one plus acre lot being sold to the Medical Center by UVM.

III. Reference to the regulatory provisions applicable to the appeal:

Section 3.5.1(a) Conditional Use

4. Institutional Parking Plan pursuant to Article 8, Part 3

Section 3.5.1(b) Major Impact Review:

4. Land disturbance of one acre or more.

5. Site improvements involving fifty (50) or more parking spaces.

8. Multiple projects by the same applicant within any consecutive twelve (12) month period

IV. Section 3.5.3 Exemptions: do not apply for this permit.

V. Relief requested by the applicant:

Hearing before DRB under Major Impact Review

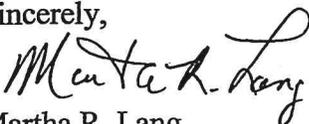
VI. Alleged grounds why such requested relief is believed proper under the circumstances:

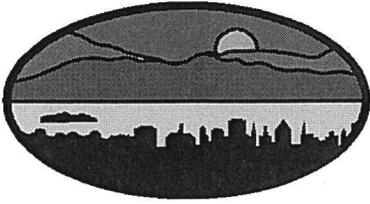
This review will comply with the Burlington Comprehensive Development Ordinance

A check for \$250 is enclosed. Please contact me if you have any questions.

Thank you.

Sincerely,


Martha R. Lang.



**ZONING PERMIT
CERTIFICATE OF APPROPRIATENESS**

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 12/05/2014

Appeal Expiration Date: 01/06/2015

Project Location: 111 COLCHESTER AVENUE

District: I

Owner: Fletcher Allen Health Care, Inc.

Ward: 1

Address: 1 SOUTH PROSPECT ST
BURLINGTON VT 05401

Tax ID: 046-2-103-000

Project Type: Institutional - Lot Line Adjustment

Project Description: Proposed lot line adjustment with UVM main campus.

Construction Cost:	\$0	Lot Size (Sq Ft):	1,285,161
Net New Habitable Sq Ft:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	58.00	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	59.00	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	1.00	Required # of Parking Spaces:	0

Zoning Permit #: 15-0664LL

Decision By: Administrative

Level of Review: 3

Decision: Approved

See Conditions of Approval

Decision Date: December 22, 2014

Project File: 15-0664LL

Zoning Administrative Officer

Review: Preliminary and Final Plat Review

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on January 6, 2015.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$100.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	<i>Not Applicable</i>		

Building Permit Required: **Yes**

Permit Received by: _____

Date: _____



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level III – Conditions of Approval

ZP #: 15-0664LL

Tax ID: 046-2-103-000

Issue Date: December 22, 2014

Decision: Approved

Property Address: 111 COLCHESTER AVENUE

Description: Proposed lot line adjustment with UVM main campus.

Project Permit Conditions:

1. The final lot line adjustment plat, endorsed by the Zoning Administrator, shall be recorded in the office of the chief administrative officer (i.e. Land Records).
2. A copy of the approved lot line adjustment plat shall be filed with the department of planning & zoning after recording in the land records.
3. A deed signed by the owner of the land being conveyed shall be provided and duly recorded in the city land records.
4. This lot line adjustment is proposed to facilitate the development of the Fletcher Allen Health Care addition approve under zoning permit 14-1321CA.

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.

Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.

2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **December 22, 2015**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **December 22, 2016**, or be subject to enforcement actions.

These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are tolled by additional state or federal permitting for the project or by an appeal; or c) an extension of time has been granted. An extension of time must be requested in writing PRIOR to the expiration of the permit. If the owner has enacted the permit and it lapses, the owner may be responsible to obtain a new zoning permit, if required, which shall be subject to the current Comprehensive Development Ordinance (CDO).

RECEIVED
NOV 25 2014

The University of Vermont Medical Center
Inpatient Building Project
City of Burlington
Boundary Line Adjustment Application Narrative
November 24, 2014

DEPARTMENT OF
PLANNING & ZONING

The University of Vermont Medical Center (UVM Medical Center), formerly known as Fletcher Allen Health Care, Inc., is proposing an approximately 208,000 square foot (sq. ft.) inpatient building project (the Project) to be located next to the Emergency Department on the west side of its Medical Center Campus. The Project will consist of approximately 128 inpatient replacement beds to be hosted in single rooms with connections to the McClure Building and the West Pavilion of the Ambulatory Care Center (ACC).

In order to accommodate the Inpatient Building and parking on the western edge of the UVM Medical Center Campus, a small 1.02 acre boundary line adjustment will be done with UVM.

The Inpatient Building Project received Development Review Board Site Plan approval on September 8, 2014 in ZP 14-1321CA. One condition of approval for the Project is "a boundary line adjustment will need to be secured to allow for development under this approval." The demolition of the Chittenden, Buckham and Wills Residential Complex, and future Green Mountain Walkway were part of a separate City Site Plan application by UVM that was also approved by the Development Review Board on September 8, 2014. The boundary line adjustment was disclosed as part of these past applications.

The enclosed application is to request administrative approval for the small 1.02 acre boundary line adjustment between the UVM Medical Center and UVM for this Project. The respective institutions contact names and addresses are both included on the application form. To the best of our knowledge, both the UVM Medical Center and UVM lots prior to and after the boundary line adjustment will be fully conforming to the City of Burlington Comprehensive Development Ordinance.

MARTHA R. LANG, PH.D.
138 COLCHESTER AVENUE
BURLINGTON, VERMONT 05401
802-862-1094

RECEIVED
JAN - 5 2015

January 5, 2015

Department of Planning and Zoning
City Hall
149 Church Street
Burlington, VT 05401

DEPARTMENT OF
PLANNING & ZONING

Re: ZP# 15-0665LL 10 University Place

To Whom It May Concern:

I want to appeal the Zoning Staff Administrative Decision ZP# 15-0665LL, 10 University Place to the Burlington Development Review Board.

I. Description of the decision under appeal:

Lot line adjustment.

II. Description of property subject to appeal:

A one plus acre lot being sold to the Medical Center by UVM.

III. Reference to the regulatory provisions applicable to the appeal:

Section 3.5.1(a) Conditional Use

4. Institutional Parking Plan pursuant to Article 8, Part 3.

Section 3.5.1(b) Major Impact Review .

4. Land disturbance of one acre or more.

5. Site improvements involving fifty (50) or more parking spaces.

8. Multiple projects by the same applicant within any consecutive twelve (12) month period

IV. Section 3.5.3 Exceptions: do not apply for this zoning permit.

V. Relief requested by the applicant:

Hearing before DRB under Major Impact Review

VI. Alleged grounds why such requested relief is believed proper under the circumstances:

This review will comply with the Burlington Comprehensive Development Ordinance.

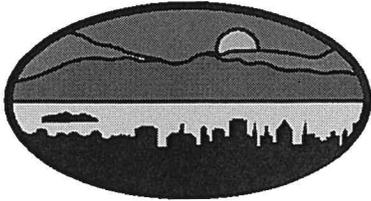
A check for \$250 is enclosed. Please contact me if you have any questions.

Thank you.

Sincerely,



Martha R. Lang.



**ZONING PERMIT
CERTIFICATE OF APPROPRIATENESS**

City of Burlington, Vermont
Department of Planning and Zoning

Application Date: 12/05/2014

Appeal Expiration Date: 01/07/2015

Project Location: 10 UNIVERSITY PLACE

District: I

Owner: University of Vermont & State Agricultural Colle

Ward: 1

Address: C/O Campus Planning Service
109 South Prospect ST
Burlington VT 05405

Tax ID: 050-3-021-000

Project Type: Institutional - Lot Line Adjustment

Project Description: Proposed lot line adjustment between UVM main campus and UVM Medical Center.

Construction Cost:	\$0	Lot Size (Sq Ft):	3,035,625
Net New Habitable Sq Ft:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	48.04	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	47.56	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	-0.48	Required # of Parking Spaces:	0

Zoning Permit #: 15-0665LL

Decision By: Administrative

Level of Review: 3

Decision: Approved

See Conditions of Approval

Decision Date: December 23, 2014

Project File: 15-0665LL

Zoning Administrative Officer

Review: Preliminary and Final Plat Review

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on January 7, 2015.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$100.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Yes**

Permit Received by: _____

Date: _____



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level III – Conditions of Approval

ZP #: 15-0665LL

Tax ID: 050-3-021-000

Issue Date: December 23, 2014

Decision: Approved

Property Address: 10 UNIVERSITY PLACE

Description: Proposed lot line adjustment between UVM main campus and UVM Medical Center.

Project Permit Conditions:

1. The final lot line adjustment plat, endorsed by the Zoning Administrator, shall be recorded in the office of the chief administrative officer (i.e. Land Records).
2. A copy of the approved lot line adjustment plat shall be filed with the department of planning & zoning after recording in the land records.
3. A deed signed by the owner of the land being conveyed shall be provided and duly recorded in the city land records.
4. This lot line adjustment is proposed to facilitate the development of the Fletcher Allen Health Care addition approved under zoning permit 14-1321CA.

Standard Permit Conditions:

1. **Other City, State or Federal Permits.** The owner is solely responsible for obtaining all other required City, state and federal approvals. Failure to do so may invalidate this Zoning Permit and result in enforcement actions.
Note: All projects receiving a Zoning Permit also require a Construction Permit or written confirmation that a Construction Permit is not required from Department of Public Works-Inspection Services Division (DPW-ISD). All construction permits must be closed out by way of approved inspections by DPW-ISD before issuance of a Unified Certificate of Occupancy (UCO) by the Code Enforcement Office as per Condition 3, below.
2. **Time Limits.** This zoning permit shall become invalid unless work or action authorized by the permit is commenced by **December 23, 2015**. The owner shall complete the approved project and obtain a UCO (combined Zoning and Building certificates of occupancy, still applicable even if a zoning or building permit was not required) by **December 23, 2016**, or be subject to enforcement actions.

These time limits are binding upon the owner unless one of the following apply: a) longer or shorter time limits are specifically imposed by a condition of approval; or b) the time limits are tolled by additional state or federal permitting for the project or by an appeal; or c) an extension of time has been granted. An extension of time must be requested in writing PRIOR to the expiration of the permit. If the owner has enacted the permit and it lapses, the owner may be responsible to obtain a new zoning permit, if required, which shall be subject to the current Comprehensive Development Ordinance (CDO).