

## Department of Planning and Zoning

149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7142 (TTY)

*David White, FAICP, Director*  
*Meagan Tuttle, AICP, Comprehensive Planner*  
*Jay Appleton, GIS Manager*  
*Scott Gustin, AICP, CFM, Principal Planner*  
*Mary O'Neil, AICP, Principal Planner*  
*Ryan Morrison, Associate Planner*  
*Layne Darfler, Planning Technician*  
*Shaleigh Draper, Zoning Clerk*



**TO:** Development Review Board  
**FROM:** Scott Gustin  
**DATE:** December 4, 2018  
**RE:** 19-0433CA; 97 Spear Street

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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.**

Zone: I      Ward: 8E

Owner/Applicant: University of Vermont & State Agricultural College

**Request:** Amend ZP 18-0929CA relative to construction traffic and construction hours.

### **Applicable Regulations:**

Article 6 (Development Criteria & Guidelines)

### **Background Information:**

On July 5, 2018, the University of Vermont received zoning permit approval to construct a new 96,681 sf, ~ 3,000 seat multipurpose events center to be situated between the existing Gutterson Field House and Patrick Gym facilities. The project also included a 17,331 sf addition along the north side of the existing athletics complex to house additional health and wellness facilities.

The zoning permit contained the following condition of approval that the applicants are seeking to amend:

1. Construction truck traffic shall be limited to 7:30 AM – 5:00 PM, Monday – Friday.  
Construction truck traffic shall enter only via Spear Street and shall exit only via University Heights Road.

Upon completion of a construction traffic analysis, the applicants have decided to seek adjustments to the days and hours of construction and to permitted construction vehicle circulation.

The University of Vermont is an educational institution and, therefore, is subject to only limited zoning review per 24 VSA, Sec. 4413, *Limitations on municipal bylaws*. This application 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.

**Recommendation: Certificate of appropriateness approval** as per, and subject to, the following findings and conditions:

## **I. Findings**

### **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) – (k)*

Not applicable.

##### *(l) Parking and circulation*

As presently approved, all construction traffic is limited to entry via Spear Street and to exit via University Heights onto Main Street. All construction traffic is to occur only within the hours of 7:30 AM and 5:30 PM.

The applicants have found that larger construction vehicles cannot physically make the turn onto Main Street from University Heights Road. They can make the turn onto Spear Street. Truck turning templates have been submitted to demonstrate the scenarios. Furthermore, the construction traffic analysis found that the intersection of University Heights Road and Main Street experiences far more pedestrian activity than the intersection of PFG Road and Spear Street. As a result, the applicants are seeking permission to allow construction traffic to exit the site north of the sports complex onto Spear Street. Construction traffic would continue to enter the site from Spear Street south of Gutterson.

In an effort to avoid PM peak hour traffic, the applicants are seeking permission to extend construction hours to 6:00 PM. PM peak traffic occurs between 4:30 – 5:45. The extended hours would enable most construction traffic to leave the site either before or after the PM peak traffic time.

Lastly, the applicants are requesting permission to include Saturday and Sunday in the allowable days of construction so as to avoid a potential 3<sup>rd</sup> construction season. Sunday construction would be limited to interior work without deliveries. Given the project's location within a core campus overlay and its distance to neighboring homes along Spear Street, the more intensive construction schedule would not likely result in undue adverse impacts. **(Affirmative finding)**

*(m) – (p)*

Not applicable.

#### ***Part 3, Architectural Design Standards***

##### ***Sec. 6.3.2, Review Standards***

Not applicable.

## **II. Conditions of Approval**

1. Except as expressly modified in this approval, all conditions of zoning permit 18-0929CA remain in effect.
2. Construction truck traffic shall enter only via Spear Street and shall exit only via University Heights Road or Spear Street. Construction activity (including truck traffic) shall be

limited to 7:00 AM – 6:00 PM, Monday – Friday, 8:00 AM – 4:30 PM, Saturday, and 8:00 AM – 4:30 PM, Sunday (interior construction only and no deliveries on Sunday).

3. Standard permit conditions 1-15.